

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

**Response to DTSC Comments**  
**Comments dated 11 August 2014; 8 October 2014; and 12 November 2014**

<b>RMP</b> <b>Responses to DTSC Comments, dated 11 August 2014</b> <b>General Comments</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
1	Figures			An updated Figure 1 identifying the Property must be provided.	The RMP is a living document that does not take effect until the first unrestricted radiological durable cover parcel is transferred. Prior to each property transfer, Section 2.0 Environmental Conditions and Figure 1-1 will be updated with all applicable information and submitted to the FFA signatories for approval. The RMP document itself can be finalized without these sections and in advance of transfer but there will be no property subject to the RMP until these pieces are approved and the property transfers.
2				Please clarify in your response to comments if it is OCII's intent to carry forward existing parcel designations (D-2, UC-1, etc.) in the Property descriptions or if the "Parcel" designation (with a capital "P") as referenced in the current RMP version will merge existing parcels and encompass all applicable RMP areas moving forward. DTSC anticipates the former given that there will be parcel-specific CRUPs associated with each currently existing parcel designation. Therefore, please verify that "Property" and "Parcel" are used appropriately in all future RMP versions accordingly.	As discussed in meetings, the RMP has been revised to reference the transferred land as the "Site" not the "Property". Parcel and Site, with capital letters, are defined terms in Appendix A. We will verify that they are used correctly throughout the document. Going forward it is expected that development will reference Phases or Sub-phases, which may overlap two or more HPS Parcels. The Owner will track restricted activities across their development Sub-phases.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
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RMP Responses to DTSC Comments, dated 11 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
3	2.1.4	2-3		<b>Radiological Condition of the Parcel.</b> Given that the RMP is not applicable to the areas subject to radiological restrictions (as stated in Section 1.1 paragraph three), language regarding the California Department of Public Health's recommendation for unrestricted radiological reuse and associated dates for each Parcel area should be provided in this section.	Section 2 will be drafted to include the requested language for each Parcel subject to the RMP.
4	3.0	3-1	2	<b>Restricted Activities Authorized with Conditions, Regulatory Oversight, RMP Modifications and Public Repository.</b> Paragraph two. Given that it is unclear what compliance "with the above provisions" is, please consider either defining the provisions more clearly or removing the text to state instead "The Owner must obtain FFA Signatory concurrence as described in Section 4.2 to engage . . ."	Section 3-0 has been revised to remove the statement "with the above provisions".
5a	3.1	3-1 and 3-2		<b>Restricted Activities Authorized with Conditions.</b> Second and fourth bullet items. Please either briefly explain why the Resource Conservation and Recovery Act (RCRA) compliance is necessary and how it applies to the approved Durable Cover, or remove its reference from the text. (Isn't it a cover that is consistent with the approved RODs and RDs for any given parcel?). The same comment also applies to the first sentence of the first paragraph of Section 5.3 (Soil Management Protocols).	The RCRA reference has been removed from the text.
5b	3.1	3-2		<b>Restricted Activities Authorized with Conditions.</b> Fourth bullet item. Please consider proposing a maximum timeframe (1 year?) requirement for approved Durable Cover replacement after hardscape removal in order to limit any potential exposure pathways to public health and the environment.	We propose a 5-year duration, which is based on the anticipated construction phasing schedule. Please note that the RMP requires that, for any property where a durable cover has been removed, access controls (RMP Section 5-10), dust controls (RMP Section 5.3.2), and storm water pollution prevention (RMP Section 5.8) will be maintained until the durable cover is re-established. Evidence that these controls are in place and being maintained will be provided to the FFA Signatories as specified in the Reporting and Notice Protocols identified in the RMP (Section 4.0) or in the FFA

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**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

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					Signatory-approved Work Plan (RMP Section 4.2).
6	3.3	3-5	3	<b>Modifications to the RMP.</b> Paragraph three. Please add a statement that says the RMP shall continue in its original form until the FFA signatories, SFDPH, and Owners come to a consensus on the appropriate modifications.	This statement is already included in the RMP, Section 3.3, second sentence of the last paragraph
7a	4.2	4-1 and 4-2		<b>Obtaining Approval for Restricted Activities Which Require FFA Signatory Approval.</b> Please specify if the Owner shall obtain written approval of Work Plans from all FFA Signatories prior to commencement of field activities.	Yes Owner shall seek approval prior to commencement of field activities - see Section 4.2, fifth sentence of the first paragraph.
7b	4.2	4-1 and 4-2		<b>Obtaining Approval for Restricted Activities Which Require FFA Signatory Approval.</b> Please consider adding a completion report requirement to be submitted to FFA Signatories for review and approval within sixty (60) calendar days of completion of the Restricted Activities and remedy restoration.	A statement has been added to require that a completion report be submitted documenting the final condition of the property. We think it prudent to have the timeline for the closure report submittal to be worked out at the time of the work plan submittal for this specific Restricted Activity because then the details of what is being requested will be known in the overall context of all the other activities at the site. For example, the Restricted Activity could be done 90 days before a report is going to be submitted for some other Restricted Activity and it will make much more sense to consolidate the two reports. Text has been added to the 4 <sup>th</sup> bullet in Section 4.2 to indicate that the Work Plan must include a schedule including the submittal date for the Completion Report.
7b 10/08/14 Reply	4.2	4-1 and 4-2		While DTSC appreciates the added text which states that a Completion Report will be submitted after the work is completed, please also add that the document will be submitted specifically to "FFA Signatories [and SFDPH] for review and approval" after the work is completed.	The text has been modified as requested.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

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8	4.4	4-3		Annual Reports. Please specify an annual calendar date that the Annual Report will be required to be submitted to FFA Signatories (June 30?).	The RMP has been modified to state that the Annual Report shall be submitted on or before March 30 of each year and Owner will report on activities that occurred during the previous calendar year.
9	4.5	4-3		Notification of Owners and Lessees. Please consider adding a plain-language Fact Sheet (include as an RMP appendix?) that the Owners must provide as a part of notification to any party with the legal right to perform subsurface work summarizing the requirements to remain in compliance with the CRUP and RMP.	OCII and the Master Developer will consider preparing a plain-language Fact Sheet.
10	5.2	5-2	3	Durable Cover Protocols: Hardscape and Landscaped Areas. Paragraph three, last sentence. Please remove "or" from the following text as follows to include both requirements in the Annual Report documentation: ". . . measured Durable Cover thickness and/or elevation survey".	The RMP has been revised as requested.
11	5.3.1	5-3		Soil Stockpile Management Protocols. The specific soil stockpile management procedures (minimum cover requirements on top of and beneath stockpiles, placement of stabilizers, labeling, monitoring, inspection frequency, etc.) should be provided in this section.	The text in Section 5.3.1 has been revised to include additional details for stockpile management. The Dust Control Plan (Appendix E) includes additional details regarding specific stockpile management protocol.
11 10/8/14 reply	5.3.1	5-3		The added text provided in response to this comment references a Section 5.3.3.1 for soil stockpile monitoring, which does not exist. Please update / correct the reference accordingly (Section 5.3.3 instead?). In addition, information such as the minimum cover requirements on top of and beneath the stockpiles, placement of stabilizers, labeling, monitoring, inspection frequency, etc. as requested in the original comment does not appear to have been incorporated into this or any of the referenced documents (Appendix E).	The reference to Section 5.3.3.1 was a typographical error. The Section has been modified to include additional details regarding the requested stockpile management protocols for stockpile covers, under-layers, and monitoring/inspections. References to other RMP Sections and Appendices have been verified.



**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

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12a	5.3.3	5-4		Soil Management Protocols for Known Delineated Areas with COCs above RGs and Petroleum Strategy Goals. This section needs to be expanded to include more specific details regarding the expected regulatory process. For example, does the FFA Signatories conduct the risk management evaluation now prior to RMP execution?	Any risk management evaluation process has already occurred or is in process as part of the CERCLA program and the Parcel specific FOST approvals.
12b	5.3.3	5-4		Soil Management Protocols for Known Delineated Areas with COCs above RGs and Petroleum Strategy Goals. First bullet item. Please consider placing a time limit on the "as soon as practical" timeframe related to re-covering uncovered soil beneath the Durable Cover. See comment 5(b).	See response to comment 5b, above.

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<b>RMP, Appendix E – Dust Control Plan</b>					
13	5.2.2			Perimeter Air Monitoring Instruments. The text states that the action level of the real-time particulate dust monitors will be submitted by the master developer and approved by SFDPH EHS. At a minimum, a Work Area Action Level of 0.5 to 1.0 milligram per cubic meter of air (mg/m3) measured over a 5-minute period at the work area(s) should result in enhanced dust suppression efforts and notification of the construction manager and regulatory project manager. A reading of greater than 1.0 mg/m3 measured over a 5-minute period should also result in ceasing operations, enhanced dust suppression efforts, and contacting the regulatory project manager immediately.	The Dust Control Plan Section 5.3.2 cites several criteria including the 24-Hour National Ambient Air Quality Standard for PM-2.5, which is 35 micrograms per cubic meter (µg/m3 ) (see <a href="http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm">http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm</a> ). As stated, this standard is not appropriate for site specific actions (because it is overly conservative and not meant to indicate any required action on a short term, daily basis); however, SFDPH has not been able to identify any other health protective standard that is applicable to site specific perimeter dust monitoring. Therefore, SFDPH has been using this overly conservative number at this site to see if it could assist in the verification of particulate mitigation. Since the particulate monitoring instruments actually "see" all particulate up to PM-10 in size, the use of this PM-2.5 standard is

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					<p>extremely conservative because it is assuming that all particulate seen by the monitor is PM-2.5 or smaller when in fact it may be composed of any size particulates up to PM-10. Consequently, only a fraction of the measured amount might be the PM-2.5 or smaller which is the fraction that causes the greater health concerns. It also has the advantage as a reference number because the PM-10 standard is 50 µg/m3 so any readings of 35 µg/m3 and below meet that PM-10 standard.</p> <p>The footnotes in the referenced chart explain that the 24-hour PM2.5 standard is attained when the readings averaged over 24 hours are then calculated as a 3-year average of 98th percentiles and shown to be less than 35 µg/ m3 . So this project would be in compliance if readings were averaged using this methodology. Since instrument limitations make it impractical to average the daily particulate readings over 24 hours and it is not helpful to wait 3 years and calculate the result, we have currently chosen an extremely conservative averaging time of 30 minutes. The 30 minute readings are compared against the 35 µg/m3 level and readings above the level are investigated. To date the only extended readings have been recorded when fog has blanketed the area. It is well known that particulate monitoring instruments “see” water vapor and include it in the calculation of particulate. We are continuing to review the data and may increase this averaging time if there are other interference issues such as fog. Experience so far indicates that this 35 µg/ m3 level is adequate for identifying when enhanced dust suppression efforts might be necessary to control fugitive dust.</p>

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<b>RMP Appendix H – Unexpected Condition Response Plan</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
14a	2.1	H-3		Initial Response Procedures. In order to adequately assess if the Unexpected Condition is a Special Condition (i.e., radiological materials), a radiological scan or sampling needs to be included in the initial response procedure. Please provide a brief description of the conditions observed that would warrant a radiological scan or sampling in order to identify if a Special Condition is encountered.	Section 2.1 of Appendix H has been modified to include conditions which would trigger a radiological scan.
14a 10/9/14 Response	2.1	H-3		While DTSC appreciates the modifications made to Section 2.1, the text should be modified to specifically state that conditions such as these would trigger a radiological scan. As currently presented, the text states that there will be coordination with SFDPH and may request the Navy to take appropriate actions (such as a radiological scan to evaluate the radiological status?).	<p>Appendix H, Section 2.1 defines a Category 1 condition as the presence of radiological materials or materials potentially presenting an explosive hazard (MPPEH). In either situation, the protocol states that upon discovery work will immediately stop and no further work will continue until the FFA Signatories and the SFDPH are notified and consulted to develop next steps for appropriate action. The RMP contemplates that the scope and details of the next steps will be defined during the consultation and documented in a subsequent work plan. In the case of radiological contamination, such steps will most likely include radiological scans before, during, and after removal of the affected materials. We view this detail as a component of the work plan and not the RMP.</p> <p>To address the DTSC comment, a statement has been added to the 4th paragraph of Section 2.1 and Flowchart H-1, Box 1C to identify that the FFA Signatories may require that a work plan be submitted for approval to document the steps that will be taken to safely and appropriately remove the materials of concern and associated contaminated soil, if any.</p>

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Appendix H – Unexpected Condition Response Plan					
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14b	2.2	H-5	2	Condition Assessment Procedures. Paragraph two. If excavation and segregation of soil occurs, please specify if any confirmation sampling will also be required as a component of the condition assessment procedure.	The intent to collect confirmation samples is presented in Section 3.0 (paragraph 3, first and second sentences) and Section 4.0 (paragraph 3, first and second sentences). No revisions were made in response to this comment.
14c	2.2	H-5	3	Condition Assessment Procedures. Paragraph three. Please consider adding a minimum sample frequency per volume of soil (e.g. one sample per 250 cubic yards of excavated soil) as a component of the condition assessment procedure.	Section 3.0 (paragraph 3, first and second sentences) identifies that sample density will be in accordance with the PCAP for petroleum constituents. Section 4.0 (paragraph 3, first and second sentences) identifies that sample density will be in accordance with the RAWP for hazardous substances. No revisions were made in response to this comment.

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RMP, Appendix H – Unexpected Condition Response Plan					
14d	4.1	H-14		<b>Excavation of Material with Hazardous Substances.</b> The text states that excavated affected material may undergo “further treatment” onsite pending results of characterization sampling. Please add text requiring consultation with FFA signatories on proper regulatory compliance approach related to this matter. The same comment regarding “on-site treatment of hazardous substance-contaminated soils” also applies to text presented in Section 4.3 (Segregated Material Characterization) of the Unexpected Condition Response Plan.	The last paragraph, and in particular the last sentence of Section 4.1, states that the Owner will consult with the FFA Signatories and the SFDPH and will prepare a technical memorandum and recommendation for FFA Signatory review and determination, prior to conducting any further action. No revisions were made to the RMP in response to this comment.
14e	Flowchart H-3			<b>Hazardous Substances Unexpected Condition Flowchart.</b> The comment requiring consultation with FFA signatories prior to any on-site treatment should also be carried forward to applicable flowchart text and pathways.	This requirement is identified in Flow Chart H-3, Boxes 9A and 10A. No revisions to the flow charts were made in response to this comment.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to DTSC Comments, dated 11 August 2014 Editorial Comments					
Item	Section	Pg	Par	Comments	Responses
15	1.0	1-1	2	Introduction. Paragraph two, sentence two. "As the Navy has implemented the remedy for each parcel, the, the Navy has prepared . . ."	The additional word has been deleted from the sentence.
16	1.1	1-2	1	<b>RMP Scope.</b> Paragraph one, sentence three. Please add the following underlined text as follows: ". . . Figure 1 in this RMP will be updated, <u>after FFA Signatory approval</u> , and will be made available . . ."	The fifth sentence of paragraph 1 has been edited in response to this comment.

RMP General Comments from DTSC, dated 12 November 2014					
Item	Section	Pg	Par	Comments	Responses
1 New Comment from 11/12/14				DTSC needs a complete document to review (no missing tables, figures, appendices).	A complete document will be provided with the next revision.
2 New Comment from 11/12/14				Please produce a RMP factsheet to share with new owners, as discussed during the 10/23/2014 meeting.	An RMP factsheet is under production.
3 New Comment from 11/12/14				Based on conversations during the 10/23/2014 meeting, DTSC understands that the RMP will be updated on a regular basis (annually?).  a. To ensure that all owners are aware of their RMP-related responsibilities, please add footers to each page of the RMP containing the revision date. Alternatively, DTSC suggested at the 10/23/2014 meeting that all updateable sections of the RMP be moved to an appendix, and that the appendix would	It is contemplated that the RMP will be updated only when Parcels are transferred.  a. A Revision # and date has been added to the header of each page to indicate which revision the documents pertains to.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP General Comments from DTSC, dated 12 November 2014					
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				<p>be updated and distributed as needed.</p> <p>b. Please add language to the RMP describing how somebody can find out what the latest revision of the RMP is, and how somebody can obtain a copy.</p>	<p>b. RMP Section 3.4 documents the repository for the RMP and provides information for accessing the most updated version of the RMP. City and Lennar also suggest that DTSC make the RMP available on the Envirostor website.</p>
<p>4 New Comment from 11/12/14</p>	1.0		3	<p>Throughout the RMP, the terms “Restricted Activities” (RAs) and “Restricted Activities Authorized with Conditions” (RAACs) are used.</p> <p>a. It would be helpful to include some language (in Section 1.0, or wherever deemed appropriate) that clearly defines and distinguishes these two terms. Without a straightforward definition of the two terms in the beginning of the document, one may initially interpret RAs and RAACs as two independent categories of activities. Examples of potentially confusing language are provided in Specific Comments 1 and 2.</p> <p>b. It would also be helpful to create a list of RAs and RAACs. RA's are referenced throughout the document, but there is no explanation of what activities are RAs. If a given activity is not an RAAC, how does one find out if the activity is an RA?</p>	<p>a. Additional language has been included in Section 1.0. See the responses to Specific Comment 1 and 2 below. In addition, note that the term “Restricted Activities” is defined in Appendix A. The last sentence of the 4<sup>th</sup> paragraph in Section 1.0 points the reader to Appendix A for the definitions. The definitions for “Restricted Activities” and “Restrictions” have been edited for clarity.</p> <p>b. A former version of the RMP listed RAs but this was taken out so as not to duplicate information that is presented in the CRUP. Instead, the RMP now points to the CRUP for a full list of the Restricted Activities. It is the intent of the RMP to identify the RAs that are authorized with conditions (Section 3.1. Anything outside of the list of RAAC requires a work plan and FFA Signatory approval (Section 4.2)).</p>
<p>5 New Comment from 11/12/14</p>				<p>Please ensure that requirements of the O&amp;M Plan, CRUP, and RMP do not conflict. DTSC understands that as site development progresses, the responsibilities of property owners should evolve accordingly. DTSC suggests breaking down owner responsibilities by owner type, rather than trying to create a one-size-fits-all framework. Some requirements/allowances that make sense during the pre-development and development stages make very little sense for post-development. For example, allowing the durable cover to be absent for a period of 5 years.</p> <p>a. The O&amp;M Plan requires work plans for any significant repair to</p>	<p>City and Lennar will propose a letter amendment to the O&amp;M Plan which will address some perceived inconsistencies. In addition note that the requirements of the O&amp;M Plan and RMP apply to the Site for different purposes and the requirements and conditions are not necessarily interchangeable. For example during development, the RMP requires that certain protocols apply when performing Restricted Activities, including protocols to manage dust and stormwater, and a requirement that the cover be replaced within 5 years. During development, there will be no Durable Cover to</p>

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				<p>the durable cover. But Restricted Activities Authorized with Conditions (including removal of durable cover) are allowed without work plan submittal and FFA signatory approval.</p> <p>b. The O&amp;M Plan says in Section 2.1, General Site Conditions, "When damage at the site results in exposure of underlying soil, any damaged area will be secured to prevent access by the public. Repairs will be made and the protectiveness of the remedy restored as soon as practicable, but no later than 60 days after the owner becomes aware of the breach." This is inconsistent with the RAAC that allows a durable cover to be absent for up to 5 years (the protectiveness of the remedy is <i>would not be restored as soon as possible but no later than 60 days after breach</i>). See Specific Comment 8c.</p>	<p>maintain (see Section 3.1, 4<sup>th</sup> bullet). Once construction is complete and the new Durable Cover is in place, the O&amp;M Plan will require the cover be repaired and maintained in accordance with the standards stipulated in the O&amp;M Plan.</p> <p>a. City and Lennar will propose a letter amendment to the O&amp;M Plan which will address work performed under the RMP. Note also that in order to perform Restricted Activities Authorized with Conditions the Owner must follow all RMP protocols.</p> <p>b. City and Lennar will propose a letter amendment to the O&amp;M Plan which will address work performed under the RMP. Also as stated above, RMP and O&amp;M Plan requirements (including timeframes) are not interchangeable. RMP conditions apply to the performance of Restricted Activities which will generally occur during redevelopment. O&amp;M conditions apply to Durable Covers that are in place as an operating remedy.</p>

RMP New Specific Comments for DTSC from 13 November 2014					
Item	Section	Pg	Par	Comments	Responses
1 New Comment from 11/12/14				<p>Section 1.0 – Introduction. Paragraph 3's use of the term "Restricted Activities" could use some clarification, please revise.</p> <p>a) The second sentence states, "This RMP complies with this provision of the LUCRDs by specifying circumstances under which a separate work plan approved by the FFA signatories is not required to perform certain Restricted Activities." I understand that "certain Restricted Activities" actually refers to the RAACs, which are a subset of the RA's, but this sentence could be misinterpreted to mean that RA's do not require a</p>	<p>a. Section 1.0, Paragraph 3 has been revised to provide further clarification and distinction between RAACs and RAs requiring a work plan for FFA Signatory approval.</p> <p>b. The text has been edited to provide further clarification on the distinction between the RAACs and RAs requiring a work plan and the RMP applicability to both.</p>

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RMP New Specific Comments for DTSC from 13 November 2014					
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				FFA signatory-approved work plan. b) The third sentence states, "This RMP also specifies that the environmental procedures and protocols in the RMP must be followed whenever an Owner engages in a Restricted Activity, even if that <u>Restricted Activity additionally requires a separate work plan approval from the FFA Signatories.</u> " Sentence 2 (quoted above in 1a) just said that "certain RAs" do not require FFA signatory-approved work plans. Now this sentence cites RA's that do require FFA signatory-approved work plans.	
2 New Comment from 11/12/14	1.1		2	Section 1.1 RMP Scope, Paragraph 2. Same comment as General Comment #4 on RAs vs RAACs	Paragraph 3 of Section 1.0 has been modified to provide better clarity on the distinction of the RAs vs. RAACs and the applicability of the RMP. Section 1.1, Paragraph 2 has been correspondingly revised to remove redundancy and provide more clarity in response to this comment.
3 New Comment from 11/12/14	2.2.1.2			Section 2.2.1.2 CERCLA Remedy (and Section 2.2.2.2) Please reference the CRUP in this section.	The text has modified as requested.
4 New Comment from 11/12/14	2.1.5, 2.2.1.3.5			Section 2.1.5 Petroleum NFA Areas with No Restrictions. (and Sections 2.2.1.3.5) The way this section is written, it is unclear what Restrictions (capital R) is referring to. These areas have no Restrictions, but are subject to Sections 3, 5, and Appendix H.	The Restrictions referred to here are those specifically stated in the RWQCB NFA letters for the specific petroleum locations. In addition, Restrictions is a defined term in Appendix A as: "Restrictions shall mean protective provisions, covenants, restrictions and conditions imposed on any of the Property under a CRUP entered into between the Navy and DTSC and the Deeds that convey the property from the Navy to the City."
5 New Comment from 11/12/14	3.1		Bullets	Section 3.1 RAACs a. RAACs are authorized with conditions, but those conditions are not specified. In this section, please cite the requirements associated with each of the proposed RAACs. b. Bullet 1. Need to confirm DTSC is okay with 1 acre, as	a. A sentence has been added to the beginning of section 3.1 to clarify that the RAACs are authorized provided that the Owner complies with the RMP. b. Comment noted. Significant discussion regarding this condition has occurred over the past 3 years and the



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**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

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				<p>opposed to a volume criterion.</p> <p>c. Bullet 4. This proposed RAAC needs to be made more specific so as to not conflict with O&amp;M requirements. (See General Comment 5).</p>	<p>one-acre condition has been preliminarily accepted by all agencies to date.</p> <p>c. City and Lennar will propose a letter amendment to the O&amp;M Plan which will address work performed under the RMP. See also the response to Comment 5 above.</p>
6 New Comment from 11/12/14	4.2		3	<p>Section 4.2 Obtaining Approval for Restricted Activities Which Require FFA Signatory Approval. DTSC's July 2014 comments on the Draft May 2014 RMP requested a requirement that a completion report be submitted within 60 days of completion (July 2014 Comment 7). Please add a deadline for the completion report submittal to FFA signatories and SFDPH.</p>	<p>See response to July 2014 Comment 7b, above.</p>
7 New Comment from 11/12/14	5.1.2			<p>Section 5.1.2 Location-Specific Health and Safety Protocol.</p> <p>a. Please provide the list of these certain building foundations that may overlie unexpected levels of COCs, and explain how this list is compiled.</p> <p>b. The text says, "The environmental professional shall physically observe the condition of the soil beneath the foundation and may screen the soil using one or more field screening instruments as appropriate (Organic Vapor Monitor (OVM), Photoionization Detector (PID), X-Ray Fluorescence (XRF) analyzer, and gamma ray spectrometer, etc.)."</p> <p>Please be specific about what physical observation entails, and please elaborate on how the decision to use field screening instruments is made.</p>	<p>a. The Section refers the reader back to Section 2.1.1 which provides a complete description of each of the buildings.</p> <p>b. The text has been revised to clarify that Physical observation includes visual and olfactory characteristics of the material. Clarification has been added to indicate when field screening instruments may be used.</p>
8 New Comment from 11/12/14				<p>Section 5.2 Durable Cover Protocols: Hardscape and Landscaped Areas, Second Paragraph.</p> <p>a. Please revise the first sentence to clarify what "complete removal of the Durable Cover" means. I believe the intent of the sentence is to say that "If at any time the maintenance work will expose soils underlying the durable cover, then the following protocol must be followed and documented..."</p> <p>b. How will workers know the difference between HPS bay</p>	<p>a. The text has been edited to clarify the condition that the underlying soil becomes exposed.</p> <p>b. The type and nature of the durable cover is identified in Section 2.2 for each Parcel. It will be the responsibility of the Owner and its contractors to inform themselves of the site conditions and the requirements that are specified in the RMP or other approved Work Plan.</p> <p>c. This condition refers to routine maintenance work, such</p>

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP New Specific Comments for DTSC from 13 November 2014					
Item	Section	Pg	Par	Comments	Responses
				fill/native soil and durable cover material? c. "The durable cover is to be replaced within 10 business days of the completed construction work." This conflicts with the RAAC that allows durable cover to be replaced within 5 years of removal.	as irrigation installation or repair, and it requires that once construction is complete, the durable cover be replaced within 10 days. It does not address the timeframe between removal and replacement of the cover that is not routine maintenance work.
9 New Comment from 11/12/14				Section 5.3.3. a. Bullet 1. "As soon as practical" is not acceptable, please provide a specific time frame. b. Bullet 2. After the last sentence, please add a sentence stating that utility corridors will need to be backfilled with soil that meets the SIP.	a. Text has been added to provide a timeframe of "as soon as practical, but in no event more than five years after removal without FFA Signatory approval." b. A sentence has been added to the end of this bullet to address the comment.
10 New Comment from 11/12/14				Section 5.4. The Owner needs to include the disposal facility, volume of soil, and waste profiling information in the annual report.	Comment Noted.
11 New Comment from 11/12/14				Section 5.5. Please add procedures for the unexpected discovery of ordnance.	Appendix H includes specific protocol for addressing all unexpected conditions, including the discovery of Ordnance.
12 New Comment from 11/12/14				Section 5.5 and Appendix H. DTSC's previous comment in a 10/8/2014 email from Ryan Miya to Amy Brownell does not appear to have been addressed in either Section 5.5 or Appendix H. Please revise both Section 5.5 and Appendix H.  <i>Response to DTSC's original RMP specific comment 14(a) for Appendix H (Unexpected Condition Response Plan) Section 2.1 (Initial Response Procedures). While DTSC appreciates the modifications made to Section 2.1, the text should be modified to specifically state that conditions such as these would trigger a radiological scan. As currently presented, the text states that there will be coordination with SFDPH and may request the Navy to take appropriate actions (such as a radiological scan to evaluate the</i>	See response to Comment 14a above.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b>					
<b>New Specific Comments for DTSC from 13 November 2014</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
				<i>radiological status?).</i>	
13 New Comment from 11/12/14				Section 5.6. a. SIP will include reference to DTSC's October 2001 Clean Imported Fill Material Information Advisory, and any updates. b. Soil import criteria should also meet DTSC standards. c. Please add a statement that DTSC's current unrestricted level for lead in soil is 80 mg/kg.	a. The SIP includes reference to the DTSC Advisory. The text in Section 5.6 also includes this reference. b. See response to a. c. We acknowledge that DTSC's most current unrestricted level for lead in soil is 80 mg/kg; however since this document will apply to development activity that is projected to extend for the next 15 to 20 years, we prefer to leave the text as is to reference the "most current" regulatory screening levels that are in effect at the time the work is occurring.
14 New Comment from 11/12/14				Appendix H, Section 2.1. a. See Specific Comment #13 b. "...developer will coordinate a response with SFDPH and may request the Navy to take appropriate action". Please clarify what criteria will be used to determine Navy involvement.	a. See response to comment 13. b. The developer (Owner) will take many factors into account in deciding whether to request the Navy to take action pursuant to its obligation under law, including development schedule, costs, etc.
15 New Comment from 11/12/14				Appendix H, Section 2.2. Is there a pre-existing HPNS Sampling and Analysis and/or QA/QC plan that can be referenced here and followed?	The text has been revised to reference that work will be conducted in accordance with the latest approved version of the Navy Quality Assurance Project Plan, as appropriate.
16 New Comment from 11/12/14				Appendix H, Section 4.0 a. Please add PAH's to all bullet point lists of hazardous substances.	PAHs are a subset of the referenced Semi-Volatile Organic Compounds (SVOCs).

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard  
San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

**Response to EPA Comments  
Comments dated 12 August 2014 and 7 October 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
4	3.2.1	3-4		EPA suggests adding the US Fish and Wildlife Service and the California Department of Fish and Game and any other relevant agencies that address impacts to endangered species.	US Fish and Wildlife Service and the California Department of Fish and Game have been added to the list
5	3.3	3-4		<p>EPA suggests redrafting this section to provide more clarity about how modifications to the RMP will be proposed and implemented. Specifically:</p> <ul style="list-style-type: none"> <li>- This section indicates that “a User other than the FFA Signatories” may propose a modification. Please define “User.”</li> <li>- Please clarify that the 45-day review period for FFA signatories to review a proposed modification starts to run from the date the signatories receive “any additional requested information.”</li> <li>- Please move the last two sentences in the second paragraph to the end of the section so that they apply to modifications proposed by both “Users” and FFA Signatories.</li> <li>- Please clarify that this modification procedure applies when adding a new Parcel to the RMP.</li> </ul>	<ul style="list-style-type: none"> <li>- Users are defined in Section 1.2 “Intended Users of RMP”. A reference to Section 1.2 has been added to this sentence.</li> <li>- The sentence referring to the 45-day review period has been revised.</li> <li>- The last two sentences of the second paragraph have been moved as requested.</li> <li>- A sentence has been added to note that the modification procedure applies when adding a new Parcel to the RMP</li> </ul>
6	4.2	4-1		Please revise the fifth sentence as follows: “The Owner shall obtain written approval of Work Plans <u>from the FFA Signatories</u> prior to commencement of field activities.”	This sentence has been revised as requested. .

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b> <b>Responses to EPA Comments, dated 12 August 2014</b> <b>Specific Comments</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
7	4.4	4-3		Please specify an annual calendar date that the Annual Report will be required to be conducted and submitted to FFA Signatories. The months with the highest average rainfall in San Francisco would, for example, be a good opportunity to check for some conditions of concern listed in O&M plans such as "settlement and subsidence" and "surface water accumulation with and adjacent to parcel boundary" (O&M Plan, Parcels UC-1 and UC-2, Section 2.4.1, Page 2-8) or "Visible depressions" and "Proper surface water drainage – no ponding" (O&M Plan, Parcel B, IR-7/18, Section 2.5.1, Page 2-9). In addition, the growing season could be a good opportunity to check for inappropriate planting.	The RMP has been modified to state that the Annual Report shall be submitted on or before March 30 of each year and will report on activities that occurred during the previous calendar year.
8	4.5	4-3		Eventually, potentially over 200 separate Owners may exist and potentially many more tenants. In addition, ownership and tenants will naturally change over time. Many of these owners and tenants may not be environmental professionals, and they may not easily understand long technical documents. EPA is concerned that all Owners and tenants should understand in a broad generalities the long term responsibilities associated with maintaining the protectiveness of the CERCLA remedy regardless of whether or not they have the legal right to perform subsurface work on the property. EPA suggests that all Owners and tenants should receive a brief fact sheet in plain language that summarizes the key provisions of the CRUP and RMP. This fact sheet should be translated into languages commonly spoken by local residents, such as Spanish and Chinese. In addition, please provide the fact sheet to the FFA signatories for review and approval prior to release.	OCII and the Master Developer will consider preparing a plain-language Fact Sheet in several languages
8 10/7/14 Reply	4.5	4-3		EPA strongly encourages a plain language fact sheet to help laypersons understand as clearly as possible the CRUP and RMP requirements.	As stated above, OCII and the Master Developer will consider preparing a plain-language Fact Sheet in several languages.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
9	5.1	5-1		<p><b>Construction Worker Health and Safety.</b> The first sentence of Section 5.1 states "Construction and maintenance contractors, whose workers may contact potentially contaminated soil, soil vapor, or groundwater within the Property, are required to prepare site-specific Environmental Health and Safety Plans (EHSPs)"; however, the text does not include requirements to protect utility workers and it is unclear if they are considered a subset of construction workers (i.e., the utilities have yet to be installed, so the workers would not be a subset of maintenance workers). Please revise Section 5.1 to clarify whether utility workers are considered a subset of construction workers.</p>	<p>During any time period that the Site (capital S) is a construction site with earth disturbing activities, meaning it will be subject to City permitting which includes Health Code Article 31 requirements, the Applicant will be required to have a Health and Safety Plan on file with SFDPH that complies with the RMP requirements. So any worker conducting work that disturbs earth, including utility workers, will be subject to a RMP compliant Health and Safety Plan.</p> <p>Once the earth disturbing construction permits are closed out, future permits for utility maintenance/repair that are subject to the RMP are also subject to Health Code Article 31 requirements because any work at the Property will require a City permit. Similar to the situation described above, the Applicant will have a EHSP on file with the SFDPH. We will add wording about utility workers to this section to clarify this point. Please note: It is anticipated that there will be large sections of the new development that will built above the durable cover because the durable cover will be two feet of clean imported fill that has been buried under a thicker layer of clean imported fill. In these instances the shallow utilities servicing these areas will not be subject to the RMP because the utilities will not be disturbing the durable cover and any HPS Bayfill or Native Soil below.</p>
10	5.2	5-2	2	<p><b>Durable Cover Protocols: Hardscape and Landscape Areas.</b> The second paragraph of Section 5.2 states "workers will segregate any removed soil Durable Cover material from any removed HPS Bay fill/Native Soil"; however, the text does not indicate how workers will prevent potential contamination of the area beneath (e.g., soil, concrete, asphalt, etc.) the staging area for removed HPS Bay fill/Native Soil. Please revise Section 5.2 to indicate how workers will prevent potential contamination of the area beneath where removed HPS Bay fill/Native Soil will be staged.</p>	<p>Text has been added to Section 5.2 to state that removed HPS Bay Fill/Native soil that is excavated will be segregated onto visqueen or some other barrier to prevent contamination from the underlying durable cover materials.</p>

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
11a	5.3	5-2 and 5-3		<b>Soil Management Protocols.</b> It would be helpful if the RMP included decision criteria to help decide how soil will be handled (i.e., when it is acceptable to return soil to the excavation, when it may be necessary to dispose soil off site, etc.). Please revise the RMP to include decision criteria selecting among options for soil management and disposal protocols.	As represented in Section 5.3, it is the intent of the RMP that all soil that currently exists on site, with the exception of designated areas as described in Section 5.3.3, can be moved and be relocated anywhere on site as long as it will remain under the durable cover. Soil will be designated for offsite disposal, only when there is a surplus of soil from mass grading or if it constitutes an Unexpected Condition as described in Section 5.5. The end of the first paragraph has been revised to clarify circumstances when soils would not be used for backfill.
11b	5.3.3	5-4		<b>Soil Management Protocols for Known Delineated Areas with COCs above RGs and Petroleum Program Strategy Goals.</b> In addition, it may be useful for the text to specify that the initial utility excavation to be backfilled with clean fill because future emergency utility maintenance workers would be less likely to be impacted by potentially contaminated soil, especially in areas of heightened concern, such as those that are covered by Section 5.3.3. In addition, please consider revising the text to specify that the initial utility excavations should be backfilled with clean fill in order to reduce the impact from potentially contaminated soil during future utility maintenance.	Utility trenches will be backfilled as required in the SF Building Code and any additional requirements related to the specific utility, (e.g. PGE has a very specific sand backfill spec for natural gas and electrical conduit. This specialized sand helps dissipate any heat generated by electrical current or friction generated by the flowing of natural gas). In addition, the specifications specify gravel backfill below the water table and sand backfill above the water table. Since these gravels and sands have specific geotechnical requirements which are not met by any HPS Bayfill, Native Soil or 5.3.3 spots on HPS, these gravels and sands will be imported and meet the Soil Importation Plan requirements.  In addition, the language in 5.3.3 states that soil may be returned to the "original location and depth from which it was excavated." If the 5.3.3 designated soil was at 10 feet below ground it can only be returned to 10 feet below ground at the same latitude and longitude.  With this clarification, we think the utility backfill specifications plus ease for the contractors construction process will lead almost all contractors to choose to excavate any 5.3.3 delineated areas that cross utility trenches and dispose of it offsite in accordance with all laws.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
12	5.3.1	5-3		After removal of durable covers, if replacement of the cover is delayed, then stormwater runoff could move contaminants of concern into San Francisco Bay. In addition, dust could expose the surrounding communities. Please specify that the durable cover would be replaced within a specific time frame, such as one year. Please also require that the SWPPP should specifically address the situation of removal of the durable cover and prevention of movement of contaminants of concern into stormwater.	We propose a 5-year duration, which is based on the anticipated construction phasing schedule. Note that the RMP requires that, for any property which does not have a durable cover in place, access controls (RMP Section 5-10), dust controls (RMP Section 5.3.2), and storm water pollution prevention (RMP Section 5.8) will be maintained until the durable cover is re-established. Evidence that these controls are in place and being maintained will be provided to the FFA Signatories as specified in the Reporting and Notice Protocols identified in the RMP (Section 4.0) or in the FFA Signatory-approved Work Plan (RMP Section 4.2).  Text added to section 5.2 which states: The construction SWPPP must address potential for run-off from the exposed soil while the durable cover is removed (see Section 5.8).
12 10/7/14 Reply				EPA appreciates the verbal discussion on September 18, 2014 that clarified the following: <ul style="list-style-type: none"> <li>- The proposed five year limit would accommodate the possibility of extended inactive periods during which dust control the SWPPP, and other controls would remain in place.</li> <li>- Construction will proceed in units of "sub-phases," which are usually one to two acres in size, and parts of these sub-phases are likely to be placed under durable cover, such as roads, quickly, even if other parts could remain uncovered for extended periods.</li> <li>- Active work on a given site would not be likely to expose a single construction worker longer than the one year limit assumed in the Human Health Risk Assessment.</li> </ul>	No response required.



**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
13	5.3.2	5-4		<b>Dust Control Plan.</b> Section 5.3.2 states “For projects where surface soil will be disturbed in an area of one acre or larger , an Asbestos Dust Mitigation Plan (ADMP) will be submitted to and approved”; however, the text does not explain why an ADMP is needed only for areas one acre or larger. Exposure to asbestos in soil from smaller areas may still be harmful. In addition, the text states “For projects less than one acre, an evaluation will be performed to determine whether an ATCM-[Airborne Toxic Control Measures] compliant asbestos dust mitigation plan is required prior to initiation of potential dust generating activities”; however, the text does not specify the entity responsible for performing the evaluation and entities who must review and/or approve the evaluation. Please revise Section 5.3.2 to explain why an ADMP is needed only for areas one acre or larger. In addition, please revise Section 5.3.2 to specify which entity is responsible for performing the evaluation for projects less than one acre and which entities must review and/or approve the evaluation.	The text states that the ADMP is prepared in compliance with the ATCM. The ATCM defines that an ADMP is required for property that is larger than one acre in size. The text has been revised to note this definition. Note that the same controls are required for work on land that is less than one acre in size; however, a formal ADMP is not required for projects of this size.
13 10/7/14 Reply	5.3.2	5-4		EPA appreciates the verbal discussion that clarified that most work will occur in units of “sub-phases” that are mostly larger than one acre in size, so an ADMP will be required in most situations.	No response required.
14a	5.3.2	5-4		<b>Dust Control Plan.</b> In addition to monitoring for coarse particles (particles between 2.5 and 10 micrometers in diameter, PM10) and fine particle (particles less than 2.5 micrometers in diameter, PM2.5), dust control monitoring should include asbestos, as required by the BAAQMD. .	Asbestos will be monitored in accordance with the Asbestos Dust Mitigation Plan as described in Section 5.3.2. See also the response to comment 13, above.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
14b	5.3.2	5-4		<b>Dust Control Plan.</b> In areas that are covered by Section 5.3.3 or areas where unexpected conditions are discovered (covered in Appendix H) please consider also sampling for relevant contaminants of concern, such as metals, polycyclic aromatic hydrocarbons (PAHs), and pesticides. Daily monitoring could include collection of samples in the same locations as the PM10/PM2.5 monitors for any relevant other potential contaminants, both to protect workers and residents.	Occupants and visitors will not have access to the subsurface soil because they will not have ownership rights that will allow them to obtain permits to conduct earth disturbing activities. Homeowners' associations, government agencies and commercial Owners who have rights to conduct earth disturbing activities in HPS Bayfill or Native Soil are required to obtain permits and follow the RMP processes, which includes access controls and EHSP protocol to protect their workers. The IH or Health and Safety Officer will determine the proper worker protection measures that may or may not include collection of samples. In the event of unexpected conditions the Unexpected Condition Response Plan will be followed and the EHSP will be updated to include procedures and protocols for worker protection and decision steps for determining if sampling is needed, based on the new conditions.
15a	5.3.3	5-4		<p>EPA understands that this section is intended to address certain areas of Parcel C where the ROD indicates further action would be needed if the building foundations that currently constitute part of the durable cover are altered. (See Parcel C ROD, p. 57.) EPA also understands that this section would apply only if the Navy or the FFA Signatories conduct a "risk management evaluation" for Parcel C before adding it to the RMP such that areas of "known" contamination can be described in Section 2.0. However, Parcel C is not necessarily the only area where additional work may be required when the CERCLA remedy is disturbed.</p> <p>EPA has heightened concern about potential unknown levels of contaminants of concern that may exist under buildings that had prior uses associated with such contaminants and where prior characterization has been limited. Some of these concerns include the following:</p> <p>A. If a building is on or near a VOC ARIC and source of VOC's has not already been identified and the past use of the building creates the possibility the source could lie</p>	We have been discussing EPA's concerns in regards to specifically identified issues. The discussions were started with Parcel G since it is the next parcel with buildings that will transfer. We understand that further discussions will continue with the future Parcels to be transferred. It is anticipated that the concepts already discussed and solutions developed will provide guidance for the upcoming parcels. It is likely that resolution of the issues on Parcel C, where the ROD indicated further action, will require more steps in the process but most likely will fit into the solutions already developed.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
				<p>underneath a building foundation, then the future building occupants would be better protected if the source could be identified and addressed after the building foundation is removed.</p> <p>B. If high levels of metals, PCBs, or PAHs is a possibility, then during the time the durable cover is removed during construction, exposure to dust could impact construction workers, nearby residents, and nearby non-construction workers. In addition, construction workers could experience dermal exposure.</p>	
15b	5.3.3	5-4		<p>EPA suggests creating a more detailed description of the proposed "risk management evaluation" process to address these concerns, either through revising this section of the RMP or through proposing a separate document, which would be subject to FFA signatory approval before the RMP would be modified to add any parcels with remaining concerns. This description would set forth a process that must be followed to address both (1) building foundations under which there is "known" contamination and (2) building foundations under which there has been insufficient characterization to determine whether the area within the building footprint should be included in a VOC ARIC or other restriction.</p> <p>One potential approach could include consideration of a menu of both the original 3 proposed options as well as some additional options to determine what measures would be most appropriate to ensure protectiveness on a building-by-building basis. For example</p> <ul style="list-style-type: none"> <li>- Before a parcel is added to the RMP, the Owner would prepare a risk management evaluation for approval by the FFA Signatories that would identify areas to be included in Section 2 and subject to Section 5.3.3. The list should include both buildings under which there is "known" contamination and buildings under which there has been insufficient</li> </ul>	<p>Any risk management evaluation process has already occurred or will occur as part of the CERCLA process and/or review of the Parcel specific FOST(s). Parcel C may require some data review meetings that may require submittal of tables, figures and risk assessment information. Details of that process will have to be worked out as the group is ready. Other than the ideas listed below in this response, we do not anticipate the need for any of the other suggested options.</p> <p>Based on the work that has been done so far on Parcel G, the following protocols have been added to the RMP to address these issues.</p> <ul style="list-style-type: none"> <li>- Oversight by a third party independent qualified professional to monitor soil conditions during excavation of the specifically identified areas of concern. The purpose will be to identify visual and olfactory cues that would represent an Unexpected Condition or require further worker exposure assessment.</li> <li>- Limit the amount of time that a durable cover is allowed to be removed to five years or less.</li> <li>- Details on areas where worker protection issues may require specific CIH or other certified safety professional review. Recommend that the CIH in charge of the EHSP evaluate the</li> </ul>

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard  
San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
				<p>characterization to know whether the area within the building footprint should be included within the VOC ARIC or fall under another restriction.</p> <ul style="list-style-type: none"> <li>- For areas identified as having limited characterization, the owner should prepare a risk management evaluation report that identifies appropriate precautions for the area in question. FFA Signatories must approve the approach before construction can go forward. EPA envisions that the Owners and the FFA Signatories would evaluate a range of options and special precautions that could include, but not be limited to, the following, depending on the nature of the concerns: <ul style="list-style-type: none"> <li>A. Examples of potential options for buildings with concerns about VOC's: <ul style="list-style-type: none"> <li>- Conduct limited sampling for contaminants of concern based on prior use of the building when the building foundations are removed. Rapid assessment approaches could be acceptable and could be described in the RMP or a separate document. EPA can provide a list of potential efficient approaches that would minimize delay and cost while providing meaningful results. If appropriate levels of contaminants of concern are not exceeded, the Owner may proceed with construction in accordance with the RMP. If appropriate levels are exceeded, the Owner must submit a work plan to the FFA Signatories. The work plan may include excavation, proposed changes to the VOC ARIC, and/or other measures, as appropriate.</li> <li>- Hire a third party independent qualified professional to monitor soil conditions during excavation to identify visual and olfactory cues that would represent an Unexpected Condition.</li> <li>- Where concerns about VOCs exist based on past use of the building and an existing ARIC does not cover the full footprint of the building, extend a VOC ARIC to cover the entire building</li> </ul> </li> </ul> </li> </ul>	<p>possible need for PPE for construction workers to address any concerns about dermal exposure and dust inhalation.</p> <p>The text has been revised to incorporate these concepts into Sections 5.1.</p>

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard  
San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
				<p>footprint as a precaution.</p> <p>B. Examples of potential options for buildings with concerns about Metals, PCB's, and PAH's:</p> <ul style="list-style-type: none"> <li>- Conduct limited sampling for contaminants of concern based on prior use of the building when the building foundations are removed. Rapid assessment approaches could be acceptable and could be described in the RMP. EPA can provide a list of potential efficient approaches that would minimize delay and cost while providing meaningful results. If based on the Risk Management Evaluation process appropriate levels of contaminants of concern are not exceeded, the Owner may proceed with construction in accordance with the RMP. If appropriate levels are exceeded, the Owner must submit a work plan to the FFA Signatories.</li> <li>- Implement dust monitoring during construction for the contaminants of concern selected based on the risk management evaluation process to protect construction workers and nearby residents and non-construction workers.</li> <li>- Hire a third party independent qualified professional to monitor soil conditions during excavation to identify visual and olfactory cues that would represent an Unexpected Condition.</li> <li>- Limit the amount of time that a durable cover is off.</li> <li>- Increase the level of protection for construction workers from dermal exposure and dust inhalation.</li> <li>- Improve the level of protection to potential residents or non-construction workers through more protective dust control measures.</li> </ul>	

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
15a and 15b 10/7/14 Reply	5.3.2/5.3.3	5-4		EPA appreciates the efforts of all parties to respond to its concerns about contaminants under certain buildings and agrees with the approaches provided in revised Sections 5.1 and 5.3.3. EPA appreciates the verbal discussion that Section 2 will include a category of locations under buildings without evidence of levels of contamination that exceed remediation goals but at which some of the same precautions described in the revised section 5.3.3 will be followed (engagement of an independent third-party monitor). EPA suggests revising section 5.3.3 to state clearly which requirements apply to such areas. As currently drafted, the RMP requirement to engage an independent third-party monitor applies only to "areas with COC concentrations above cleanup goals or Petroleum Program Strategy Goals."	Section 2 has been drafted to identify "Areas Subject to Special Protocol" (Section 2.1). Specifically, Section 2.1.4 references areas where residual hazardous substances in soil exceed ROD remediation goals and points to Section 5.3.3 for the special protocol that applies to this condition. Section 2.1.1 references areas where soil beneath certain building foundations may contain unexpected levels of COCs that have been previously remediated in soil surrounding the buildings and points to Section 5.1.1 (new Section) for special health and safety and monitoring protocols that apply to this condition.
16	5.7.2	5-8		<b>Prevention of the Potential for Creation of Conduits.</b> Section 5.7.2 states that "As much as practicable, installation of subsurface utilities in areas of known groundwater or soil vapor contamination will be avoided"; however, there are no provisions for mitigating vapor migration for subsurface utilities placed in the areas of known groundwater or soil vapor contamination. There are methods available to install engineered barriers to vapor migration in utility trenches (i.e., to avoid creating preferential conduits/pathways for vapor migration). In addition, a strategic plug, e.g. constructed of Portland cement, could be installed. Please revise Section 5.7.2 to include provisions for mitigating vapor migration for subsurface utilities placed in the areas of known groundwater or soil vapor contamination, such as the installation of engineered barriers to vapor migration in utility trenches.	Section 5.7.3 <b>Prevention of the Potential for Creation of Conduits</b> contains language to address this issue. The text includes additional reference to best management practices for engineered barriers in utility trenches to mitigate the potential for vapor and groundwater migration along utility corridors.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
16 10/7/14 Reply	5.7.2	5-8		EPA appreciates the addition of the following sentence to new section 5.7, p. 22: "Best management practices for engineered barriers in utility trenches to mitigate the potential for vapor and groundwater migration along utility corridors will be considered and installed, as appropriate." Please clarify the meaning of "as appropriate," especially as related to VOC ARICs.	The phrase "as appropriate" is intended to mean that the best management practices will be selected and implemented to apply an adequate level of protection based on the specific conditions at the subject location. The RMP contemplates a work plan that describes VOC mitigation measures will be prepared and submitted to the FFA Signatories for review and approval. Section 5.7 has been modified to state that a work plan will be required to address VOC conditions.
17	5.7.2	5-8		Please revise the penultimate sentence in the first paragraph to state that "a GMP will be approved <b>by the FFA Signatories</b> prior to the start of construction activities."	There are now several placed in Section 5.7 that refer to a review and approval requirement by the FFA Signatories.
18	5.8	5-9		(See comment 9 above for 5.3.1) After removal of durable covers, if replacement of the cover is delayed, then stormwater runoff could move contaminants of concern into San Francisco Bay. In addition, dust could expose the surrounding communities. Please specify that the durable cover would be replaced within a specific time frame, such as one year. Please also require that the SWPPP should address specifically address the situation of removal of the durable cover and prevention of movement of contaminants of concern getting into storm water.	See response to Comment 12, above.
19	5.9.2	5-10 and 5-11		Section 5.9.2 summarizes the content of the work plan that is required for replacing any abandoned monitoring wells; however, the text does not summarize the protocols for updating the groundwater monitoring plan to include new replacement wells and specify which wells were abandoned. In addition, the text does not describe the protocols for notifying the entity responsible for groundwater monitoring (i.e., Navy and/or the applicable contractor). Please revise Section 5.9.2 to summarize the protocols for updating the groundwater monitoring plan if any monitoring wells are replaced in the future. In addition, please revise Section 5.9.2 to describe the protocols for notifying the entity responsible	The Navy will remain responsible for continued base-wide groundwater monitoring. However, any work that involves modification or relocation of existing groundwater monitoring wells as a result of development activities will be proposed by the Owner in the Work Plan to Conduct Restricted Activities for approval by the FFA Signatories (See RMP Section 4.2). Any modifications to the groundwater monitoring well network by the Owner will be communicated to the Navy. The Navy will be responsible for updating the Base-wide Groundwater Monitoring Plan with any well location revisions. The text was revised to reflect this expectation.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
				for groundwater monitoring.	
20	5.10	5-12		EPA suggests that signs should be in multiple languages commonly spoken in the local community and should include a phone contact.	Text has been added to the RMP to address this request.

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
<b>RMP, Appendix B – Contact Information</b>					
21		B-1		Please revise U.S. EPA's contact information to list Lily Lee as the RPM.	As agreed on 10/23/14, personnel changes are likely for a document such as this that will be in effect for many years. The document will just state the generic title, "Remedial Project Manager" for each agency.
<b>RMP, Appendix C – Annual Report Form</b>					
22		C-3 and C-4		Pages C-3 and C-4 of the Annual Report Form indicate that the dust control plan (DCP) is in Appendix F; however, the DCP is included in Appendix E. Please revise the Annual Report Form to reference the correct appendix for the location of the DCP.	The text has been revised as suggested.
<b>RMP, Appendix E – Dust Control Form</b>					
23	4.1	7		Please explain what is meant by "the independent third party" (e.g., by referencing Section 5.1).	An independent third party is a party that is hired by the Owner and is a party that is not working for the contractor conducting the earth disturbing activities. During construction, an Owner hires a series of contractors to conduct the different phases of the work - e.g. grading contractor, utility installer, etc. The independent third party is independent of these contractors whose motivation is to fulfill their construction contract requirements. An independent third party hired to monitor dust control is responsible for verifying that the project is in compliance with dust control requirements. This



**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
					<p>model has worked well with the Parcel A redevelopment.</p> <p>In regards to any concerns about the independent third party performing their work correctly, the SFDPH as the Regulatory Agency can review the submitted information and require additional information to verify the proper procedures. If procedures aren't followed they can bring enforcement action. An independent third party who has professional certifications (e.g. Professional Engineer, etc.) is bound by their professional code of ethics and can be investigated by their certification organization if there are complaints against them. In addition, most private companies have code of conduct policies and procedures for complaints to be filed against employees. In addition, there are agencies that can investigate allegations against the business that is hired as the independent third party. All of these checks and balances assure that the work is carried out correctly and in accordance with the requirements.</p>
24	4.3.2.1 and 4.3.2.3	10 and 12		<p><b>Travel on Unpaved Surfaces and Additional Mitigation Measures for Traffic Control.</b> Section 4.3.2.3 summarizes the additional control measures that will be applied if the "mitigation measures listed in Sections 4.1 through 4.3.2.2 fail to properly control fugitive dust;" however, the additional measure described in item 1 (i.e., watering "every two hours and at the end of the day") is already part of the mitigation measures described in Section 4.3.2.1. It is unclear how the additional control measure will improve dust control when it is the same as the initial mitigation measure that failed. Additional and/or alternative control measures should be included. Please revise Section 4.3.2.3 to include additional and/or alternative control measures in the event that initial mitigation measures fail to control dust.</p>	<p>Section 4.3.2.3 has been revised to include more aggressive dust control measures than those presented in Sections 4.1 through 4.3.2.2.</p>

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
25	4.4.1	15		<b>Site Preparation and Grading.</b> According to sub-item c under item 7, "Inactive stockpiles (no disturbance of stockpile for more than 7 days) will be wetted, covered or contained;" however, it is unclear whether measures will be in place to check inactive stockpiles during the 7 day period that establishes inactivity. If it is dry or windy then dust control measures would need to be implemented in the 7 days before the stockpile is considered inactive. Please revise Section 4.4.1 to specify how often stockpiles are checked and describe dust control measures that will be implemented for stockpiles during the 7 day period that establishes inactivity.	Dust control efforts will be maintained for stockpiles from the time that a stockpile is created. This Section is intended to convey the concept that if a stockpile is to remain for a period of greater than 7 days, then more long-term dust control measures will be implemented. The text has been revised to clarify the 7-day criteria and to clarify the distinction in the dust control measures for such stockpiles. Regardless of activity or inactivity designation, dust control measures are in place at stockpiles.
26	4.4.4 and 4.4.5	17		<b>Excavation Activities.</b> Item 2 of Section 4.4.4 and Item 2 of Section 4.4.5 indicate that the height and speed at which excavated soil is dropped will be minimized; however, it is unclear whether water sprays will be used to prevent dust generated when excavated soil is dropped onto stockpiles or loaded into trucks. Reducing the speed and/or the height at which excavated soil is dropped may not be sufficient to reduce dust generation if the soil is dry (i.e., watering excavations will only affect the top few inches, so soil could be dry). Please revise Item 2 of Section 4.4.4 and Item 2 of Section 4.4.5 to indicate that in addition to minimizing the height and speed at which excavated soil is dropped, water sprays will be used to prevent dust generation when soils are dropped onto stockpiles or loaded into trucks.	Text has been added to indicate that water sprays will be used to prevent dust generation when soils are dropped onto stockpiles or loaded into trucks.
27	4.4.5	17		Item 1 of Section 4.4.5 states that excavated material will be "adequately wetted during the loading process;" however, it is unclear if this also includes watering stockpiles before the loading process begins to prevent dust production as soil is removed from a stockpile for loading. Please revise Item 1 of Section 4.4.5 to clarify whether this includes watering the stockpile before the loading process begins.	Text has been revised to indicate that soil will be pre-wetted prior to loading.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
28	4.5	19		Please explain what is meant by “initial construction activities” and clarify that the three enumerated measures must be tracked and eventually replaced with a durable cover consistent with the applicable ROD.	The text has been revised to state that this section applies to areas where the development construction activity has been completed. Text has also been added to clarify that the final constructed development will include a Durable Cover, where required.
29	4.6	20		<b>Additional Requirements for Serpentine Material.</b> DCP Section 4.6 states “excavated materials, which will be transported off site, will be analyzed for asbestos content”; however, it is unclear whether excavated materials will be treated as materials with greater than 1 percent by-weight asbestos during excavation and until sampling results are available. If excavated material is not handled in accordance with all requirements for asbestos prior to the availability of sample results, then exposure of workers and the public could be an issue. Please revise Section 4.6 to specify that excavated materials will be treated as materials with greater than 1 percent by-weight asbestos during excavation and until sampling results are available. Alternatively, sampling for asbestos content could be completed before excavation occurs.	The DCP and ADMP plans were written to address the fact that some of the naturally occurring rock and soil derived from it at HPS contains naturally occurring asbestos. The multitude of dust control and mitigation measures in these two plans and the requirements for a Serpentine Cover on Parcel A and D-2 and durable covers on all other parcels in addition to particulate and NOA sampling requirements of these plans address the exposure concerns. Since submittal of these plans to the Regulating Entities (SFDPH and BAAQMD) is a FEIR mitigation measure to address asbestos exposure and the continued compliance with the RMP will include the requirement to comply with the DCP and both SFDPH and BAAQMD have enforcement authority during excavation activities, we think any concerns about NOA exposure are adequately addressed. In addition, DTSC will have enforcement authority because the DCP is an element of the RMP which incorporated by reference into the CRUP. The document was not changed as a result of this comment.
30	5.2.2	23		<b>Perimeter Air Monitoring Instruments.</b> Section 5.2.2 states “Real-time particulate dust monitors will be used to monitor for particulates”; In addition to monitoring for coarse particles (particles between 2.5 and 10 micrometers in diameter, PM10) and fine particle (particles less than 2.5 micrometers in diameter, PM2.5), dust control monitoring should include asbestos, as required by the BAAQMD. In areas that are covered by Section 5.3.3 or areas where unexpected conditions are discovered (covered in Appendix H) please consider also sampling for relevant contaminants of concern, such as metals, polycyclic aromatic hydrocarbons (PAHs), and pesticides. Daily monitoring could include collection of	This is a duplicate comment to the comments 14a and 14b – please see those responses above.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
				samples in the same locations as the PM10/PM2.5 monitors for any other relevant constituents, both to protect workers and residents.	
31	5.3.2	25 and 26		<b>Independent Third Party Recordkeeping and Reporting.</b> The first sentence of Section 5.3.2 states “The Independent Third Party will fill out the Inspection Checklist (Appendix B) on a regular basis based on their inspections”; however, it is not clear how often qualifies as “a regular basis” (i.e., daily, weekly, etc.). Section 5.3.2 also states “checklist results will be reviewed with the contractor on a regular basis” and “The Independent Third Party will submit the checklists to SFDPH [San Francisco Department of Public Health] on a regular basis,” but the frequency of these actions is unclear. Please revise Section 5.3.2 to include specific frequencies for the completion of the Inspection Checklist and the associated follow-up actions (i.e., reviewing the checklist with the contractor and submittal of the checklist to SFDPH).	The Appendix A form is designed so that the frequency of inspections, review with contractor and submittal to SFDPH can be proposed to and approved by SFDPH. This allows for flexibility to verify that all the proper controls are in place and for the future ability to reduce or increase these parameters depending on the situation. Since SFDPH is a regulatory body with over 8 years’ experience with particulate monitoring on this specific project, it is preferred to allow this type of flexibility so that the inspection program is neither too lenient nor too prescriptive.  There are over 7 years of daily inspection reports and daily particulate monitoring data points that have demonstrated that this Project has not contributed to any particulate concentration level that might cause an increased health risk. Please note: the current approved Appendix A form for the Parcel A construction specifies daily inspections, daily review with contractor and weekly submittal of the daily forms to SFDPH. These parameters will continue until the Applicant proposes changes that can then be approved or denied by SFDPH. This DCP proposes to use these same forms and approval process.
32	5.4	26		The Community Involvement Plan notes that many local residents may have a better understanding of languages other than English. Please specify that signs will be in multiple languages. In addition please specify that a contact phone number will appear on the sign.	The text has been revised as suggested

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
<b>RMP, Appendix H – Unexpected Condition Response Plan</b>					
33	2.1	H-3		EPA recommends that to increase the protectiveness of monitoring an independent qualified professional could monitor soil conditions during excavation to identify visual and olfactory cues that would represent an Unexpected Condition. This approach would especially be helpful in locations with heightened concern, such as excavation under buildings identified in Section 2 to which Section 5.3.3 provisions would apply.	The results of discussions about these concepts are reflected in the current version of the RMP
34	2.1	H-4		Please clarify when work is permitted to resume when an Unexpected Condition is determined not to be a Special Condition. As EPA stated in its comments on the 2013 draft of the RMP, when an unexpected condition is determined to be a CERCLA issue, regulatory approval is required prior to restarting work.	We agree. If a condition is determined to be a CERCLA issue, the response will follow the process outlined in Flow Chart H-3, which requires that regulatory approval be obtained prior to work re-starting after the issue has been addressed.
35	2.2	H-6		EPA supports DTSC's recommendation to include signs of radiological contamination as an Unexpected Condition. These could include, but not be limited to, observation of radiological dials or sandblast grit.	Section 2.1 of Appendix H has been modified to include conditions which would trigger a radiological scan. In addition, radionuclide testing has been added to the list of potential analyses in Section 2.2.
36	2.2	H-4	3	<b>Condition Assessment Procedures.</b> The third paragraph of Section 2.2 states "A minimum of one sample will be collected for each media (liquid in object, soil, sediment, or groundwater) that is suspected to be impacted"; however, at a minimum a duplicate sample and other applicable quality control (QC) samples also should be collected to ensure the results are not biased or impacted by sampling error, cross-contamination, or laboratory error. Please revise Section 2.2 to specify that in addition to primary samples, duplicate samples, and other applicable QC samples will be collected and submitted for analysis.	The text has been revised to reflect that appropriate QC samples will be collected to validate the data.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b> <b>Responses to EPA Comments, dated 12 August 2014</b> <b>Specific Comments</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
37	2.2 and 4.0	H-4 and H-12		<b>Condition Assessment Procedures and Hazardous Substances Contamination.</b> The last paragraph of Section 2.2 does not indicate that additional evaluation and response is required for Hazardous Substances if the condition is a subsurface object or structure; however, Section 4.1 discusses the actions for Hazardous Substances if the condition is a subsurface object or structure. Please revise Section 2.2 to specify that additional evaluation and response is required for Hazardous Substances if the condition is a subsurface object or structure.	The text has been revised to include the subsurface object or structure Condition.
38	2.2 and Flowchart H-1	H-4 and H-6		<b>Condition Assessment Conditions and Unexpected Condition Flowchart.</b> According to the second paragraph of Section 2.2, assessment may also include "field screening instruments, physical observation..."; however, these methods are not included in box 2 of Flowchart H-1. In addition, box 14 of Flowchart H-1 indicates that in the event that no further response is needed after initial assessment, a closure report will be prepared for SFDPH and Federal Facilities Agreement (FFA) Signatories review and approval; however, page H-6 states "the Owner shall notify SFDPH and the FFA Signatories of its findings (including analytical results) and proceed with redevelopment work," but does not specify a closure report. Please revise box 2 of Flowchart H-1 to include the additional methods of Unexpected Condition Assessment. In addition, please revise Section 2.2 to specify that a closure report is required for submittal and approval in the event that no further response is needed after initial assessment is completed.	From a formatting perspective, it will not be possible to include the assessment methods in Box 2 of Flow chart H-1; however, the text in the Box has been revised to point the reader to Section 2.2. Section 2.2 has been revised to state that a Closure Report will be prepared and submitted for approval prior to proceeding with development.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard  
San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
39	2.2 and Flowchart H-1	H-5 and H-6		<b>Condition Assessment Conditions and Unexpected Condition Flowchart.</b> The second half of this section discussing no further response indicates that if hazardous substances concentrations are below applicable levels, then the Owner notifies SFDPH and FFA Signatories (Box 11) and may proceed with redevelopment work; however, the notification step is also applicable if total petroleum hydrocarbon (TPH) concentrations are below applicable levels (Box 6). The text does not reference this box. Please revise Section 2.2 to clarify that the Owner notifies SFDPH and FFA Signatories after determining that concentrations of TPH (Box 6) or hazardous substances (Box 11) are below applicable levels.	The text has been revised to reference the appropriate Boxes on the revised Flowcharts.
40	3.2 and Flowchart H-2			<b>Encountered Groundwater and TPH Unexpected Condition Flowchart.</b> The pathway from Box 4A ("Is There Free Product Present at a Thickness of >0.01 ft [foot]?") on Flowchart H-2 ends with Box 7A, which indicates the owner can proceed with preparation and implementation of the Corrective Action Plan for groundwater with free product and references Section H.3.2; however, it is unclear whether any additional actions are necessary at the time of discovery. For example, the flowchart should indicate whether free product needs to be absorbed (i.e., with absorbent booms or pads). In addition, it is unclear what actions are necessary if there is a significant amount of free product. Please revise Flowchart H-2 and Section 3.2 to expand the actions related to presence of free product at a thickness greater than 0.01 ft.	The text states that if free product is encountered at a thickness greater than 0.01 foot, the SFDPH will be consulted. It is the intention that through this consultation the SFDPH and the environmental professional would reach agreement on the additional actions that are necessary. The CAP would be prepared to document the actions to be taken.
40 10/7/14 Reply	3.2 and Flowchart H-2			EPA appreciates adding the consultation step with the SFDPH. Please also consult with the Regional Water Quality Control Board.	The text and Flowchart have been revised to reflect that consultation will be with the Regional Water Quality Control Board.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b> <b>Responses to EPA Comments, dated 12 August 2014</b> <b>Specific Comments</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
41	4.0	H-12		See comments (1 and 2) on Appendix H, Section 2.1. Please clarify when work is permitted to resume when an Unexpected Condition is determined not to be a Special Condition. As EPA stated in its comments on the 2013 draft of the RMP, when an unexpected condition is determined to be a CERCLA issue, regulatory approval is required prior to restarting work.	See response to comment 34
42 New comment from 10/8/14 reply	4.1	11		The first sentence of the second paragraph appears to be incomplete.	The sentence has been edited to be complete.
43 New comment from 10/8/14 reply	5.3.1	16		The first paragraph refers to section 5.3.3.1 however, this section does not exist. Please revise the reference or add the new subsection as needed.	The reference to section 5.3.3.1 has been removed and text has been added to provide additional protocol for managing stockpiles as requested by DTSC comment #11 (see above).
44 New comment from 10/8/14 reply	Appendix H			Please confirm that all capitalized terms in the UCRP will be defined in the definitions section of the RMP or, alternatively, consider providing a separate definitions section in the UCRP. Please also confirm that all acronyms used in the UCRP are included in the acronym list in the RMP or provide a separate list in the UCRP.	Appendix H has been modified to confirm that all definitions and acronyms are defined in the RMP.
45 New comment from 10/8/14 reply	Appendix H	2.1		First paragraph, third sentence: The sentence would flow more smoothly if the word "shall" is deleted.	The word "shall" has been deleted.



**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b> <b>Responses to EPA Comments, dated 12 August 2014</b> <b>Specific Comments</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
46 New comment from 10/8/14 reply	Appendix H	2.2		The revised sentence changes "will" to "may." "As an initial screen, collected samples may be analyzed for the following constituents." How will a determination be made about which type of analysis will be done?	The word "will" was changed to "may" to allow the environmental professional who is directing the initial assessment latitude to select a suite of analysis that is appropriate given the location-specific conditions. Conditions that will be considered in selecting the analysis include previous work conducted by the Navy at the location, known conditions as documented in Navy reports for the location, history of use at the location as documented by the Navy, filed observations, and other anecdotal information. For example, if an unknown fuel UST is discovered, the analytical suite likely would not include testing for pesticides or radiological constituents. As documented in the text and on Flow Chart H-1 Box 3, the results of the initial assessment will be provided to the FFA Signatories and SFDPH along with a determination of the condition and recommendation for further action. At that time, the FFA Signatories and SFDPH have the right to request additional work and/or analysis to support the determination.
47 New comment from 10/8/14 reply	Appendix H	H-3		EPA understands that the flowcharts associated with Appendix H will be revised in accordance with the revised draft. EPA will review the revised flowcharts for consistency.	Updated Flow Charts have been provided for your review.
48 New comment from 10/8/14 reply	Appendix H	H-6, H-7		Please clarify that when it is determined during Category 2 Condition Assessment that no further response is needed, the Owner "shall prepare and submit a closure report to SFDPH and the FFA Signatories" and, "upon approval of the Closure Report by the SFDPH and the FFA Signatories," will proceed with redevelopment work under the guidance of the RMP.	The text and Flow Chart H-1, Box 3A have been revised to include reference to approval of the report prior to proceeding with development.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to EPA Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
49 New comment from 10/8/14 reply	Appendix H	H-13		In the first paragraph under numbered item (1), please clarify that a new CERCLA action or decision document may be required "because hazardous substances are identified at levels above ROD remediation goals or new contaminants are found." Subsections 4.1 and 4.2 already recognize this possibility by referring to use of RSLs for contaminants not listed in the applicable ROD.	The text has been modified to state..."or a new hazardous substance is identified"...

RMP New Comments from EPA, dated 13 November 2014					
Item	Section	Pg	Par	Comments	Responses
1 New Comment from 11/13/14	Acronyms			Acronyms and Abbreviations, p. iv. Please include "PSC" in the acronym list and abbreviate consistently throughout the document (see, e.g., p. 5-8).	PSC has been included in the acronym list.
2 New Comment from 11/13/14	1.1			Section 1.1, p. 1-3, first full paragraph. Please change "authorized" to "authorizes."	The requested change has been made.
3 New Comment from 11/13/14	2.1			Section 2.1, p. 2-1, first full paragraph. The third sentence refers to "special protocols" summarized in Section 2.1. Section 2.1 describes categories of areas subject to special protocols but does not actually describe the protocols. Please provide more clarification.	The paragraph of Section 2.1 has been modified to provide more clarity regarding the RMP protocols that apply to the conditions.
4 New Comment from	2.1.1			Section 2.1.1, p. 2-2. The references to Section 5.1.1 should be changed to Section 5.2.2.	The reference has been changed to Section 5.1.2.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP New Comments from EPA, dated 13 November 2014					
Item	Section	Pg	Par	Comments	Responses
11/13/14					
5 New Comment from 11/13/14	2.1.3			Section 2.1.3. p. 2-2. A space is missing before "Section" in the first sentence.	The text has been edited as requested.
6 New Comment from 11/13/14	2.1.3			Sections 2.1.3 (p. 2-2) and 5.7.3 (p. 5-12). When excavation occurs in areas with groundwater contamination, there is the potential to create new vapor intrusion risks. Please consider revising Sections 2.1.3 and 5.7.3 to address this issue. Suggested revisions are attached.	The requested edits have been considered and incorporated as requested with some modifications. Please see edited text in Sections 2.1.3 and 5.7.3.
7 New Comment from 11/13/14	2.2.1			Section 2.2.1.1, p. 2-4. This section says, "Certain COCs remain in soil, soil vapor, and groundwater at Parcel G at levels and in conditions that the FFA Signatories have determined <b>do not pose a risk</b> to human health or the environment." Please change this to "...that the FFA Signatories have determined <b>are consistent with cleanup goals</b> ." Please make the same change in Section 2.2.2.1 on p. 2-7.	Because COCs remain in soil above RGs, we do not believe it is accurate to state that the concentrations are at levels "consistent with cleanup goals." We have updated the text in Section 2.2 and have proposed to change the subject sentence to the following: "... <b>are consistent with the ROD Remedial Action Objectives.</b> "
8 New Comment from 11/13/14	2.2.1.1			Section 2.2.1.1, Environmental Condition, Page 2-4. The first sentence of Section 2.2.1.1 states "Certain COCs [contaminants of concern] remain in soil, soil vapor, and groundwater at Parcel G at levels and in conditions that the FFA [Federal Facilities Agreement] Signatories have determined do not pose a risk to human health or the environment;" however, this does not acknowledge the potential for unexpected conditions, particularly beneath buildings, where little to no sampling has been completed. It is understood that remedies, such as durable covers, will prevent exposure to unexpected conditions for future office workers or other site users; however, the remedies may not protect construction and utility workers from unexpected conditions. Please revise Section 2.2.1.1 to acknowledge the potential for unexpected conditions, particularly beneath buildings and provide references to text that explains how	The text in the introductory paragraph of Section 2.2 has been edited to address the comment and applies to all subsequent Sub-Sections. In addition, please note that with regard to Parcel G building foundations, Section 2.2.1.3 specifically acknowledges the potential for unexpected conditions and provides references to the text that explains how construction and utility workers will be protected from such conditions.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP New Comments from EPA, dated 13 November 2014					
Item	Section	Pg	Par	Comments	Responses
				construction and utility workers will be protected from unexpected conditions.	
9 New Comment from 11/13/14	2.2.1.1			Section 2.2.1.1, Environmental Condition, Page 2-4. The text indicates that the COCs remaining in soil include metals, and specifies arsenic and manganese; however, there are other COCs in soil remaining in place that appear to be missing, including polycyclic aromatic hydrocarbons (PAHs), lead, and chromium. In addition, groundwater COCs are missing from the list in the text. Section 2.2.1.1 specifies that trichloroethene (TCE) in groundwater is present, but there are other COCs present in groundwater (e.g., carbon tetrachloride and chloroform at Installation Restoration [IR]-33, based on third quarter 2013 sampling results). Please revise Section 2.2.1.1 to include the missing soil and groundwater COCs that remain in place at Parcel G.	We have updated sections 2.2.1.1 and 2.2.2.1 with information from the Remedial Action Completion Report and the Third Quarter 2013 Basewide Groundwater Monitoring Report. Please see revised text in those Sections.
10 New Comment from 11/13/14	2.2.1.3.1			<p>Section 2.2.1.3.1. Please see attached markup of a map showing one area under Building 411 with reduced concern. In addition, please modify the list of buildings and concerns as follows:</p> <ul style="list-style-type: none"> <li>• Building 366 – Soil excavated from beneath the building slab should be monitored during demolition for unexpected solvents, PAHs, TPH, and metals (lead and antimony)</li> <li>• Building 408 – Soil excavated from beneath the former building slab should be monitored during demolition for unexpected PCBs, PAHs, solvents, TPH, and metals (lead, cadmium).</li> <li>• Building 411 – Soil excavated from beneath the building slab should be monitored during demolition for unexpected PCBs, PAHs, solvents, TPH, and metals (lead, cadmium, chromium, hexavalent chromium, nickel, and mercury). Note that no soil sampling has been done in the vicinity of the former nickel and hexavalent chromium plumes in the northern part of the building, so it is unknown if metal plating operations impacted soil beneath the building.</li> </ul>	The text has been modified to add the additional buildings and chemicals identified in the comment. Figure 2-1 has also been modified to address the comment.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard  
San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP New Comments from EPA, dated 13 November 2014					
Item	Section	Pg	Par	Comments	Responses
				<ul style="list-style-type: none"> <li>• Building 418 – Soil excavated from beneath the building slab should be monitored during demolition for unexpected PCBs, solvents, PAHs, TPH, and metals (lead, cadmium, chromium/hexavalent chromium, copper, zinc).</li> <li>• Building 436 – Soil excavated from beneath the building slab should be monitored during demolition for unexpected PCBs, solvents, benzene, toluene, ethylbenzene, xylenes, and metals (lead, cadmium, mercury).</li> <li>• Building 439 – Soil excavated from beneath the building slab should be monitored during demolition for unexpected PCBs, solvents, benzene, toluene, ethylbenzene, xylenes, and metals (lead, cadmium, mercury), since it is not known what Navy industrial activities occurred in this area prior to the construction of Building 439 in the early 1970s.</li> </ul>	
11 New Comment from 11/13/14	2.2.1.3.3			<p>Section 2.2.1.3.3, p. 2-6. Page 36 of the <i>Remedial Action Completion Report, Durable Cover, Groundwater Treatment, and Institutional Controls for Parcel G</i> (March 2014) states, "Chloroform concentrations indicate an erratic trend, with concentrations at times exceeding the RG. Monitoring for carbon tetrachloride had been stable and consistently below the RG; however, the most recent monitoring event showed an increased concentration exceeding the RG." These detections were found in groundwater samples collected at a depth of approximately 10 feet deep in an area where there is a clay layer above bedrock that may limit migration of soil vapor. Disturbing the clay layer could allow migration of these chemicals and cause a potential vapor intrusion concern if occupied buildings are constructed above this area. EPA is gathering more information about groundwater and soil gas sampling results in this area and may consider requesting that Figure 2-1 of the RMP add a groundwater plume on Parcel G at IR-33 as shown in in Figure 4 of the <i>Remedial Action Completion Report, Durable Cover, Groundwater Treatment, and Institutional</i></p>	This Section has been updated to reflect conditions documented in the RACR and third Quarter Basewide Groundwater Monitoring Report. Areas where known COCs are documented to remain in groundwater have been depicted on the appropriate Figures.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b>					
<b>New Comments from EPA, dated 13 November 2014</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
				<i>Controls for Parcel G (March 2014).</i>	
12 New Comment from 11/13/14	2.2.2.1			Section 2.2.2.1, Environmental Condition, Page 2-7: Carbon tetrachloride and chloroform are both present in the groundwater at Parcel UC-2, but the text does not specify the volatile organic compounds (VOCs) that are present in groundwater. It is understood that "Chemicals are not anticipated to be present in groundwater at levels that pose a health risk;" however, because these VOCs are persistent, they should be specified in the text. Please revise Section 2.2.2.1 to specify that carbon tetrachloride and chloroform are present in the groundwater at Parcel UC-2.	This Section has been updated to reflect conditions documented in the RACR and third Quarter Basewide Groundwater Monitoring Report. Areas where known COCs are documented to remain in groundwater have been depicted on the appropriate Figures.
13 New Comment from 11/13/14	2.2.2.3.3			Section 2.2.2.3.3, p. 2-9. Please add the groundwater plume surrounding IR06MW54F and IR06MW54F, as drawn in the ROD for Parcel UC-2.	The area where COCs remain in groundwater in this area has been depicted on the Figure.
14 New Comment from 11/13/14	2.2.2.3.4			Section 2.2.2.3.4, p. 2-9. Did this section intend to address COCs in soil? If so, then please specify accordingly.	The text has been modified to reflect that this is a soil condition.
15 New Comment from 11/13/14	3.1			Section 3.1, p. 3-1 Second bullet. Please note the exception to this authorization specified in Section 5.3.4.2.	The requested edit has been incorporated into the text.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard  
San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP New Comments from EPA, dated 13 November 2014</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
16 New Comment from 11/13/14	5.1.2			Section 5.1.2, Location-Specific Health and Safety Protocol, Page 5-2: Section 5.1.2 indicates that field screening instruments will be used to observe the condition of soil beneath removed building foundations; however, some potential contaminants, such as polychlorinated biphenyls (PCBs), cannot be screened with these instruments. Alternative methods, such as field test kits, should be utilized to determine whether potential contaminants are present. Please revise Section 5.1.2 to also include the usage of field test kits to determine whether potential contaminants are present beneath removed building foundations. Please also specify the subsection of Section 2 that lists buildings, i.e. Sections 2.1.1, 2.2.1.3.1, and 2.2.2.3.1.	Although field screening instruments may be used in real-time to monitor for volatile chemicals, we do not anticipate that the use of field test kits, such as is recommended by the EPA here are necessary for the purpose of establishing health and safety protocol to protect against non-volatile chemicals such as PCBs. Dermal exposure to PCBs will be addressed through the appropriate use of PPE (e.g., gloves, Tyvek, over-boots, etc.). In the event that an unexpected condition is encountered, the Unexpected Conditions Response Plan will engage and address the condition. Field test kits may be appropriate to use as part of the initial unexpected conditions assessment. The text has been modified to reference the appropriate Sections in Section 2.0, as requested.
17 New Comment from 11/13/14	5.2			Section 5.2, p. 5-2. The section states, "The environmental professional shall physically observe the condition of the soil . . . "Please specify that observation includes monitoring for olfactory cues of potential contaminants of concern.	The text in new Section 5.1.2 has been modified as requested.
18 New Comment from 11/13/14	5.7.2			Section 5.7.2. Please specific that this section applies to areas as defined in Section 2 (including sections 2.1.2, 2.2.1.3.2, 2.2.2.3.2). Please also add language, consistent with the LUC RDs, that specifies that the Owner shall submit a work plan that proposes amendments to the relevant Operation and Maintenance Plan to assure that any necessary monitoring is conducted and/or engineering controls continue to operate in a protective manner long term.	The text in Section 5.7.2 has been modified to refer the reader back to Section 2.2.  Text has been added to Section 4.2 which references that the O&M Plan will be amended as appropriate for the new conditions and engineering controls.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b>					
<b>New Comments from EPA, dated 13 November 2014</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
19 New Comment from 11/13/14	5.9.2			Section 5.9.2, p. 5-14 and 5-15. Please note before replacing a monitoring well, the work plan should specify that a series of samples from both the original and the replacement wells collected over time would be necessary to verify that the replacement well adequately characterizes the conditions at the original well.	This approach will likely not be practical because due to the nature of planned construction activities, it will not be possible for an existing well and a replacement well to be in place at the same time and sampled simultaneously. Rather, the Work Plan will propose a location for replacement wells on the basis of a hydrogeological review and past Site specific information generated by the Navy. The proposed replacement well location will be as close to the original location as possible and, in most cases will likely only be a few tens of feet from the original well location. The FFA Signatories and the Navy may propose alternative locations as a function of the Work Plan review and approval process.
20 New Comment from 11/13/14	Appendix H			Appendix H, Section 1.0 (Page H-1) and Section 2.0 (Page H-3). EPA suggests replacing the terms "radiological devices" and "radiological materials" with "radioactive materials."	The requested change has been made to the appropriate Sections of Appendix H and Section 5.5 of the RMP.
21 New Comment from 11/13/14	Appendix H			<p>Some of the references to flowchart boxes in the text of Appendix H of the Revised Draft Risk Management Plan (RMP) appear to be inconsistent with the pathways presented in the flowchart figures (Flowcharts H-1 through H-3). Examples include, but are not limited to:</p> <ul style="list-style-type: none"> <li>a. Section 2.2 at the bottom of page H-6 states "the Owner will then inform SFDPH [San Francisco Department of Public Health] and the FFA [Federal Facilities Agreement] Signatories of its findings, conclusions, and recommendations" and references Box 2B of Flowchart H-1; however, the statement appears to apply to Box 3 of Flowchart H-1;</li> <li>b. The No Further Response discussion on page H-7 of Section 2.2 references Boxes 4, 4A, 4B, and 4C as well as Boxes 5, 5A, 5B, and 5C of Flowchart H-1; however, the No Further</li> </ul>	All Flow Chart references have been updated and the revised flow charts will be distributed with the next version of the RMP.



**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard  
San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP New Comments from EPA, dated 13 November 2014					
Item	Section	Pg	Par	Comments	Responses
				<p>Response pathway also is found along the arrow between Boxes 3 and 3A in Flowchart H-1 and the pathway for No Further Response as currently depicted does not step through the referenced boxes;</p> <p>c. The No Further Response discussion on page H-7 of Section 2.2 states “the Owner shall notify SFDPH and the FFA Signatories of its findings (including analytical results), prepare and submit a Closure Report to the SFDPH and FFA Signatories, and upon approval of the Closure Report by the SFDPH and FFA Signatories proceed with redevelopment work” and references Boxes 5, 5A, 5B, and 5C of Flowchart H-1; however, this process is also included in Boxes 4, 4A, 4B, and 4C of Flowchart H-1 for petroleum and both pathways should be referenced;</p> <p>d. The Additional Petroleum Evaluation and Response discussion on page H-7 of Section 2.2 references Boxes 4, 4D, and 4E; however, the text states “the Condition is a subsurface object or structure” which is a pathway that includes Box 4A. This issue also occurs in the Additional Hazardous Substance Evaluation and Response discussion, which Boxes 5, 5D, and 5E, but should also reference 5A;</p> <p>e. The second to last paragraph of Section 3.1 discusses concentrations of petroleum substances remaining in the excavation below the Tier I Petroleum Program Strategy screening levels and references Boxes 10A, 11, and 10B of Flowchart H-2; however, Boxes 10A and 11 are along the pathway where concentrations are above the Tier I Petroleum Program Strategy screening levels;</p> <p>f. The text of Section 3.0 does not include references to Box 14 or Box 15B of Flowchart H-2;</p> <p>g. The second to last paragraph of Section 4.0 references Boxes 6B and 9B of Flowchart H-3, but does not include any of the steps to get to these boxes. This issue also occurs in the</p>	

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard  
San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP New Comments from EPA, dated 13 November 2014</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
				<p>second to last paragraph of Section 4.1, which references Box 9B of Flowchart H-3, but does not include the pathway to reach this box;</p> <p>h. The second to last paragraph of Section 4.2 states “If the concentrations of COPCs [chemicals of potential concern] in the grab groundwater sample do not exceed the appropriate screening levels, work will proceed under the guidance of the RMP” and references Box 10B of Flowchart H-3; however, it is not clear what pathway is taken to get from Box 5A (which asks whether concentrations in groundwater exceed screening levels) to Box 10B; and</p> <p>i. Section 4.3 is missing references to the relevant boxes on Flowchart H-3.</p> <p>Please revise Appendix H of the RMP to address the inconsistencies between the text and the pathways presented in the flowchart figures.</p>	
22 New Comment from 11/13/14	Appendix H			RMP, Appendix H, Unexpected Condition, Response Plan, Section 2.2, Category Condition Assessment Procedures, Page H-7 and Flowchart H-1, Unexpected Condition Flowchart. The first sentence of the Additional Hazardous Substance Evaluation and Response is missing an “or” between item ii and item iii, which is important for following the pathway on the flowchart. In addition, the text does not reference the applicable boxes on the flowchart (Boxes 5, 5A, and 5D). Please revise the text to include an “or” between item ii and item iii and to reference the applicable boxes on Flowchart H-1	The word “or” has been added as requested and the appropriate flow chart boxes have been added.
23 New Comment from 11/13/14	Appendix H			RMP, Appendix H, Unexpected Condition, Response Plan, Section 4.2, Encountered Groundwater, Page H-17 and Flowchart H-1, Hazardous Substances Unexpected Condition Flowchart. The last paragraph of Section 4.2 states “If VOCs [volatile organic compounds] are present, collection of soil vapor samples may be required according to the DTSC [Department of Toxic Substance Control] Vapor Intrusion Guidance;” however, there are no boxes	The flow chart will be revised to include a soil vapor assessment pathway.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b>					
<b>New Comments from EPA, dated 13 November 2014</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
				or pathways on Flowchart H-3 related to VOCs and/or soil vapor. Please revise Flowchart H-3 to incorporate a pathway related to VOCs and soil vapor.	
24 New Comment from 11/13/14				Responses to Comments #8 of EPA comments, Section 4.5, p.11 of RTCs. Thank you for the verbal commitment expressed at the October 23, 2014, meeting to provide plain language public fact sheets summarizing the key provisions of the CRUP and RMP and to provide drafts to the FFA signatories for review and approval prior to release.	Comment noted.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

**Response to RWQCB Comments**  
**Comments dated 12 August 2014; 30 September 2014; and 30 October 2014**

<b>RMP</b> <b>Responses to RWQCB Comments, dated 12 August 2014</b> <b>Specific Comments</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
1				Is this RMP envisioned as a template for developing separate RMPs for each parcel?	All parcels will be included under one RMP. The RMP will be a living document and will be modified as each Parcel or Parcels of land are transferred from the Navy to OCII. Prior to each Parcel transfer, Section 2.0 Environmental Conditions and Figure 1-1 will be updated with all applicable information and submitted to the FFA signatories for approval.
2	3.1	3-1		Section 3.1 ( <b>Restricted Activities Authorized with Conditions</b> ), second bullet, p. 3-1– Soil that is discolored, exhibits a chemical odor, or for which field instruments indicate an impact should not be moved and placed elsewhere on the property without notification and testing, whether it is an expected or unexpected condition. Extend this comment to Section 5.3 and elsewhere throughout the document, as appropriate.	If the suspect soil is in an area that had not been previously identified or investigated by the Navy, then the referenced condition would be considered an Unexpected Condition that will be addressed in accordance with the protocol laid out in Appendix H. Otherwise the soil is presumed to have been characterized and evaluated by the Navy and the appropriate risk management decisions have already been made. On this basis, OCII does not contemplate any further sampling or risk management review for expected conditions.  Discussions about these issues have resulted in protocols for the few unique “Expected” conditions. See Section 2.0 and 5.0
2 9/30/14 reply	3.1	3-1		The discussion during the September 18, 2014, CRUP and RMP meeting was helpful in addressing the issue in our comment. We conclude that the approach set forth in Section 5.3.3 (Soil Management Protocols for Known Delineated Areas with COCs of Special Interest) is adequate to address known contamination provided that RMP Comment #4 below is incorporated.	Noted and See response to New Comment #4 below.
3	5.3	5-3	2	Section 5.3 ( <b>Soil Management Protocols</b> ), second paragraph of section, p. 5-3 – The reference for the petroleum strategy screening criteria is incorrect. The reference should be (Shaw, 2007). Similarly, the citation in Section 6.0 (References) should be: “Shaw, 2007, Final New Preliminary Screening Criteria and	This reference has been revised as requested.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to RWQCB Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
				Petroleum Program Strategy, prepared on behalf of the Navy, December 21." Extend this comment throughout the document.	
4a	5.6	5-6		Section 5.6 ( <b>Soil Import Criteria</b> ), p. 5-6 – Address the following: CHHSLs – Given that the DTSC October 2013 Draft Preliminary Endangerment Assessment Guidance Manual states "CHHSLs are no longer generally recommended for use in a human health risk evaluation, because they are not routinely reviewed and revised as new scientific information becomes available." provide supporting justification for this specific use	The Soil Import Criteria in Section 5.6 has been revised to remove the reference to the CHHSLs and replace it with EPA RSLs.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard  
San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

RMP Responses to RWQCB Comments, dated 12 August 2014 Specific Comments					
Item	Section	Pg	Par	Comments	Responses
4b	5.6	5-6		<p>Section 5.6 (<b>Soil Import Criteria</b>), p. 5-6 – Address the following: Clean Fill Soil Import Acceptance Criteria for TPH for Hunters Point Naval Shipyard (HPNS) – The criteria in the December 21, 2007, Final New Preliminary Screening Criteria and Petroleum Program Strategy were intended for application to the old petroleum releases at HPNS specifically to determine what may pose a risk to human health or the environment and were not intended to define clean import fill soil. Ideally, criteria for clean soil would be non-detect results for TPH. However, given that the TPH method is a non-compound-specific measurement and potentially subject to interferences from naturally occurring organic matter, using a non-detect criterion is not practical because there are almost always low concentration TPH detections. Based on the Navy's review of their historical data for import fill at HPNS, the TPH-gasoline concentrations and TPH-diesel concentrations each are well below 100 mg/kg. The TPH-motor oil concentrations range up to nearly 300 mg/kg, potentially due to oils picked up during handling as well as naturally occurring organic matter. Therefore, the Navy and Regional Water Board agreed to use 100 mg/kg each for TPH-gasoline and TPH-diesel. For TPH- motor oil, we agreed to use 500 mg/kg. These criteria can be applied to single sample results or an average (e.g., 95% UCL). The criteria are not additive (i.e., not 700 mg/kg total TPH). If there are exceedances, the Navy does not automatically have to reject the fill source, but should engage the Regional Water Board to further discuss and evaluate the results/fill source. This interpretation of clean fill soil import acceptance criteria is only applicable to the HPNS site.</p>	<p>Section 5.6 has been revised to reflect that the screening level for TPH fractions will be the Water Board ESLs, which are consistent with the levels quoted in the comment.</p>

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b> <b>Responses to RWQCB Comments, dated 12 August 2014</b> <b>Specific Comments</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
5	5.8	5-9		Section 5.8 ( <b>Storm Water Management Controls</b> ), p. 5-9 - For any stockpile, Best Management Practices (BMPs) are required to mitigate run-off potential and to mitigate potential storm water flooding into an open excavation. Also, contaminated stockpiles should be covered and have secondary containment including an impervious bottom layer if there is leaching potential. Please note that, for any excavations or soil disturbance areas greater than one acre in size at a construction site that is contaminated, given the proximity to San Francisco Bay and site-specific impacts (by CERCLA and non-CERCLA non-visible chemicals), a Pollutant Source Assessment (PSA) be developed and included with a Storm Water Pollution Prevention Plan (SWPPP). The PSA should identify any non-visible pollutants that should be additionally monitored under the appropriate risk level. Background information regarding non-visible pollutant monitoring at contaminated sites is provided in the September 2, 2009 Construction General Permit Fact Sheet (updated 1/23/13).	The entity performing the work will prepare and submit a SWPPP in compliance with the Construction General Permit. We point out that not all stockpiles will contain contaminated soil. In fact, based on the extent of the Navy remedy at the Site, we anticipate that very few stockpiles will contain contaminated soil. Based on this expectation, it is our opinion that a PSA is not necessary for preparation of a SWPPP. The Navy has set precedent for SWPPP content and BMPs, which sets the standard for future construction SWPPPs.
5 9/30/14 reply	5.8	5-9		The Navy no longer prepares SWPPPs, and instead prepares a stormwater plan that the Navy considers to substantively address the Construction Stormwater General Permit requirements. Once property transfers from the Navy to the City, it is my understanding that the transferred property will fall under the City's MS4 permit and therefore citing the Navy documents as precedent may not be appropriate. Please revise the last portion of the comment to better describe how compliance with the Construction General Stormwater Permit is envisioned after transfer.	Section 5.8 does not include any reference to the Navy stormwater plan documents. In response to this comment, we have revised the text to include a statement that the project SWPPP protocol will comply with the City and County of San Francisco MS4 permit.

**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b> <b>Responses to RWQCB Comments, dated 12 August 2014</b> <b>Specific Comments</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
6	6.0	6-1		Section 6.0 ( <b>References</b> ), p. 6-1 – Should it be necessary to retain the reference to the ESLs, the current version is December 2013.	Noted
<b>RMP, Appendix B – Contact Information</b>					
7	Appendix B			Appendix B ( <b>Contact Information</b> ) – Please update the Regional Water Board contact to Nathan King.	As agreed on 10/23/14, personnel changes are likely for a document such as this that will be in effect for many years. The document will just state the generic title, “Remedial Project Manager” for each agency.
7 9/30/14 reply	Appendix B			We recommend that the Water Board contact listed in the RMP should be Alec Naugle (DoD section leader), rather than one of our RPMs.	As agreed on 10/23/14, personnel changes are likely for a document such as this that will be in effect for many years. The document will just state the generic title, “Remedial Project Manager” for each agency.
<b>RMP, Appendix H – Unexpected Condition Response Plan</b>					
8a	1.0	H-1	2	Section 1.0 ( <b>Unexpected Conditions – Approach</b> ), second paragraph of section, page H-1– Although the text states that “The UCRP protocols provide for initial oversight by and consultation with SFDPH...” it is clear in the following text (e.g., Section 3.0) and flowcharts that SFDPH is to review and concur with closure requests, both for TPH and Hazardous Substances Unexpected Conditions. In other words, for most situations SFDPH will be the lead regulatory agency with notification to the FFA Signatories. We do not concur with this approach. It is Regional Water Board policy to retain lead regulatory agency oversight when applicable (e.g., petroleum) at former DoD bases. Coordinate with DTSC (Ryan Miya) to see what they think of the current proposal.	<i>The UCRP has been revised to reflect that the Water Board will be the lead agency, in consultation with the SFDPH for all petroleum issues.</i>
8a 9/30/14 reply	1.0	H-1		The response is adequate, but the changes were not implemented in the Unexpected Condition Response Plan (UCRP).	The changes have been made to the UCRP (Appendix H) Sections 2.2, 3.0, 3.1, 3.2, and 3.3.



**Response to Comments on the May 2014 Draft Risk Management Plan, Hunters Point Naval Shipyard**  
**San Francisco, California, 15 Sept 2014    UPDATED 19 NOV 2014**

<b>RMP</b> <b>Responses to RWQCB Comments, dated 12 August 2014</b> <b>Specific Comments</b>					
<b>Item</b>	<b>Section</b>	<b>Pg</b>	<b>Par</b>	<b>Comments</b>	<b>Responses</b>
8b	2.2	H-6		Section 2.2 ( <b>Condition Assessment Procedures</b> ), p. H-6 – In several places throughout the document text and figures, the phrase “other applicable ESLs” is used. The criteria agreed-upon by the Navy, regulatory agencies and City are the ROD remediation goals and the Petroleum Program screening criteria. It is not clear for what purpose the ESLs are being additionally incorporated. Also, the RMP main text includes a reference to the CHHSLs (see Comment #3a) and the RSLs (Flowcharts H-1 and H-3). Please clarify the rationale for citing these criteria (e.g., for chemicals not previously known to be of concern on the Property). Also, citations for these criteria should be included in Section 5.0 (References).	The text has been revised to remove the reference to “other ESLs”.
8b 9/30/14 reply	2.2	H-6		See Comment #3a regarding the RMP below.	See response to comment #3a below.
8c	3.1	H-8	2	Section 3.1 ( <b>Excavation of TPH Affected Material</b> ), second paragraph of section, p. H-8 – The citation for the PCAP (ITSI, 2009) should be added to Section 5.0 (References).	The Citation has been added to the References.
8d	3.2	H-9	1	Section 3.2 ( <b>Encountered Groundwater</b> ), first paragraph of section, p. H-9 – Remove the specification to collect a “grab” groundwater sample. While grab groundwater samples may be acceptable depending on how representative they are, they are generally considered lesser quality samples due to potential sediment entrainment, etc. The type of groundwater sample should not be specified. Extend this comment throughout the UCRP.	The text has been revised to delete the word “grab”. The text already states that groundwater samples will be collected in accordance with the procedures outlined in the PCAP, which is a Water Board approved document.
8e	4.0	H-13	4	Section 4.0 ( <b>Hazardous Substances Contamination</b> ), fourth paragraph of section, p. H-13– The first sentence of the fourth paragraph, include reference to the “Tier 1 Petroleum Program Strategy screening levels” as is done in the subsequent sentences.	The reference to the Tier 1 Petroleum Program Strategy screening levels” has been added in.

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8f	4.1	H-13	1	Section 4.1 ( <b>Excavation of Material with Hazardous Substances</b> ), first paragraph of section, p. H-13 – The text includes a reference to “further treatment.” It has been previously discussed, that if a parcel’s ROD did not include treatment, then a ROD amendment potentially would be necessary before such treatment could take place. Please clarify whether this question has been resolved and, if so, modify the text and H-2 TPH Unexpected Condition Flowchart so it is clear on that this issue was evaluated and resolved.	The text in Section 4.1 states that the SFDPH and FFA Signatories will be consulted to determine if the residual contamination represents a human and/or ecological hazard based on existing subsurface conditions, nature of the contamination, and proposed development plan for the area, in which case, a new CERCLA action by the Navy may be necessary. We recognize that new CERCLA action may involve the preparation of new decision documents; however, we have left the option in the document to allow maximum flexibility to pursue a Condition, depending on its unique characteristics. The question of the need for an additional decision document will be addressed when the consultation occurs. No revisions have been made in response to this comment.
8g	4.2	H-15	3	Section 4.2 ( <b>Encountered Groundwater</b> ), third paragraph of section, p. H-15 – Include a citation for the DTSC Vapor Intrusion Guidance in Section 5.0. Note that the appropriate reference for soil gas sample collection is the DTSC April 2012 Advisory – Active Soil Gas Investigations whereas for sub-slab soil gas samples (as well as crawl space and indoor air samples) it is the October 2011 Final Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (Vapor Intrusion Guidance).	The DTSC references have been added to the text in Section 4.2 and to the references in Section 5.0.
9	Flowchart H-2		Box 10A	Flowchart H-2 ( <b>TPH Unexpected Condition Flowchart</b> ) – For Box 10A, please clarify what is meant by the “2013 Low-Risk Criteria.” Also, any reference to the “Petroleum Strategy” should be revised to also include the Regional Water Board’s ESLs and Low-Threat UST Closure Policy. This should not result in significant changes to what or how much action is needed, while it updates the petroleum evaluation approach to current WB practice.	Box 10A was intended to reference the Low-Threat Fuel Closure Guidance. The Box will be revised to reflect this reference. As requested in Comment 1b, all reference to ESLs has been removed from the text.

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9 9/30/14 reply	Flowchart H-2		Box 10A	The response does not address the comment. We recommend revising to state use of the "framework in the Low-Threat UST Case Closure Policy along with site-specific criteria." I anticipate providing a table(s) of updated petroleum criteria on or about October 9, 2014.	The text in Box 10 A has been revised as requested and the text in Appendix H, Section 3.1 has been revised to reference the Low-Threat Case Closure Policy.
10	Flowchart H-3		Box 6B	Flowchart H-3 ( <b>Hazardous Substances Unexpected Condition Flowchart</b> ) – For Box 6B, clarify how the lead regulatory agency will be determined (e.g., provide a citation to the appropriate section in the text).	The first line in Box 6B states that both the SFDPH and FFA Signatories will be notified. We anticipate that as a result of that notification the agencies will indicate who will take the lead in reviewing and approving the document.

RMP Responses to RWQCB Comments, dated 12 August 2014 General Comment					
Item	Section	Pg	Par	Comments	Responses
11				The Regional Water Board will provide a template cost recovery agreement to be included as an appendix to the RMP for future owners who may be responsible for our oversight costs.	Cost recovery issues are not part of the RMP
New comment from 9/30/14 reply	General comment			Numbering of the RTCs – On page 31 of 35, after RMP Comment #6, the numbering re-starts at 1, rather than continuing to 7. Please revise.	The numbering sequence has been revised.

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1 New comment from 9/30/14 reply	3.1	7		We find it acceptable to allow a period of up to five years before the re-installation of the durable cover because of the RMP construction worker health and safety, stockpile management, stormwater management, and dust control measures that will be followed.	Comment noted.
2 New comment from 9/30/14	5.3.1	17	2	Add "or petroleum substances" after "hazardous substances" or provide technical justification.	Petroleum substances have been added to the text.
3a New comment from 9/30/14 reply	5.6			DTSC-HERO Human Health Risk Note Number 32 (most recently updated on July 14, 2014) presents DTSC-recommended methodology for use of the RSLs. This includes Cal/EPA toxicity criteria and DTSC recommendations. Given that DTSC is the state lead regulatory agency for CERCLA issues, please consult with DTSC regarding the use of the RSLs (and whether to follow Human Health Risk Note Number 3 recommendations).	The DTSC did not comment on this Section and we assume that they were in agreement with the protocol as recommended. As this will be a project that spans a time period of one to two decades, the soil import screening will be conducted against the criteria that are applicable at the time that the work is being conducted. In response to this comment, the text has been revised to identify that the most updated screening criteria will be used.
3b New comment from 9/30/14 reply	5.6			The most recent ESL update is December 2013, not May 2013.	The reference has been corrected.
4 New comment from 9/30/14 reply				Regardless of whether a condition is known or unexpected, a total TPH equal or greater than 3,500 mg/kg (the Navy's Petroleum Strategy <sup>3</sup> Source Criterion for Soil) encountered during implementation of the RMP should be considered equivalent to separate-phase product. That material should, to the extent practicable, either be removed and disposed off-site, removed and treated, or contained (lateral and vertical). It should not be left in place and re-covered or placed elsewhere on or near the site (except for temporary storage). Alternatively, a site-specific evaluation of residual saturation could be performed.	We have discussed this extensively and the text to address this issue has been added to Section 2.0 and Section 5.5.

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5 New comment from 9/30/14 reply	5.3.3			As transfer and re-development proceeds and potentially unexpected conditions are discovered, Section 2.0 of the RMP should be updated to identify the locations of any newly discovered unexpected conditions.	The discovery and resolution of unexpected conditions will be documented in a Closure Report, as specified in Appendix H (Unexpected Conditions Response Plan). Section 3.3 of the RMP outlines the protocol to modify the RMP, including the condition addressed by this comment. It is contemplated that Section 2.0 of the RMP will only be updated when new Parcels are transferred into the Property. At that time all Parcel-specific descriptions can be updated to reflect current conditions. Once all Parcels have transferred, modifications to the RMP will be in accordance with Section 3.3.
6 New comment from 9/30/14 reply	5.11			Please include a provision to notify the Water Board before construction and maintenance activities begin within 100 feet of the shoreline. We propose a notification period of at least 10 business days. Please consult with DTSC and USEPA regarding whether they also would like to be notified.	Notification provisions are included in Section 4.0. It is our intention that any significant work that will be conducted within 100 feet of the shoreline will be noticed in accordance with Section 4.0. In addition, Section 5.11 has been revised to reflect that the FFA Signatories must be notified at least 10 days prior to conducting work.
7 New comment from 9/30/14 reply	Appendix F			Change "Soil Impact Plan Outline" to "Soil Import Plan Outline".	The change has been made as requested.
8A New comment from 9/30/14 reply	Appendix H			Please review this appendix for consistent word usage (soil vapor versus soil gas; commingled versus co-mingled, etc.), usage of capitalization, and punctuation.	The Appendix has been reviewed and modified for consistency.
8b New comment from 9/30/14 reply	Appendix H	3.0		As indicated in the Response to RMP Appendix H Comment #8a, the response/proposed changes were adequate, but the changes were not implemented. Please make these changes and re-send Appendix H as soon as possible.	As stated above, the changes have been made to the UCRP (Appendix H) Sections 2.2, 3.0, 3.1, 3.2, and 3.3.

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8c New comment from 9/30/14 response	Appendix H	4.0		Please confirm with DTSC and USEPA whether they concur with SFDPH's lead regulatory role as stated in the second sentence of the first paragraph of the section.	Neither the DTSC nor EPA objected to the proposed regulatory structure in their comments on the document. Therefore, we interpret that they concur with the proposed regulatory structure.

RMP Responses to RWQCB Comments dated 30 October 2014					
Item	Section	Pg	Par	Comments	Responses
1				The Water Board has decided to withdraw its requests to be a third-party beneficiary and to have the Water Code included on page 3.	Comment Noted
2	2.1.6			<b>Section 2.1.6 (Petroleum NFA Areas with Restrictions), p. 7</b> – Define “PSC” in the Acronyms and Abbreviations. Also, review the document to confirm consistent usage. For instance, in Section 5.3, next to last paragraph of section, the text uses “Petroleum Program Strategy Goals.” In the Unexpected Conditions Response Plan (UCRP), the text uses “Tier 1 Petroleum Program Strategy Screening Levels.” Also, check the use of “Tier 1” versus “Tier I” throughout the document. Extend this comment to the flowcharts in Appendix H.	PSC has been added to the list of Acronyms. The document has been reviewed and consistent usage of terms has been made. All references to Tier 1 have been corrected to use the number “1”.
3	2.2.1.3.4			<b>Section 2.2.1.3.4 (Areas with COCs of Special Concern), p. 10</b> – Insert “known” before “areas” to be consistent with usage in preceding	The text has been edited as requested.

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				section.	
4	2.2.1.3.5			<b>Section 2.2.1.3.5 (Petroleum NFA Areas with No Restrictions), p. 10</b> – Remove reference to USTs U439-1 and U439-2 because these contained non-petroleum substances and have been separately addressed by DTSC. The references to the Parcel G petroleum sites that have received No Further Action (NFA) determinations are correct and match our records.	Reference to USTs 439-1 and U439-2 have been removed.
5	5.3.			<b>Section 5.3 (Soil Management Protocols), second paragraph of section, p. 24</b> – Change ROD “cleanup goals” to “remediation goals” and confirm consistent usage throughout the document.	The change has been made throughout the document.
6	5.3.4.2			<b>Section 5.3.4.2 (Petroleum NFA Areas with Restrictions), fourth bullet, p. 27</b> – Change the bullet language to “The Owner may conduct a site-specific evaluation to demonstrate the petroleum is not mobile (e.g., evaluate residual saturation) and does not pose a risk to human health and the environment” or other similar language. An evaluation of residual saturation only would not address the question of risk to human health and the environment.	The requested change has been made.
7	5.5			<b>Section 5.5 (Unexpected Conditions), second bullet, p. 28</b> – Replace “(Petroleum Strategy 3 Source Criterion for Soil; Shaw 2007)” with “(3,500 mg/kg; Shaw, 2007).” Consider repeating the last sentence (after revised) in Appendix H	The requested change has been made to the body of the RMP text and Appendix H.

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				(UCRP).	
8	5.6			<b>Section 5.6 (Soil Import Criteria), next to last sentence of section, p. 29 – Insert “Tier 1” before “ESL.”</b>	The requested change has been made.
9	5.7			<b>Section 5.7 (Groundwater and Soil Vapor Management Protocols), p. 29 – The line spacing does not match the preceding or following sections.</b>	The document formatting has been corrected.
10	5.11			<b>Section 5.11 (Measures to Protect Shoreline Improvements) – Please include a provision to notify the FFA Signatories before construction and maintenance activities begin within 100 feet of the shoreline. We propose a notification period of at least 10 business days.</b>	The requested provision has been incorporated.
11				<b>Figure 1 (Property Boundary) – Illustrate the locations of IR 7/18 and Parcels B-1 and B-2.</b>	The Figure has been modified to show the requested features.
12a	H 1.0			<b>Section 1 (Unexpected Conditions – Approach), first paragraph, third sentence, p. H-1 – Insert “and/or petroleum substances” after “hazardous substances.”</b>	The requested text has been added.
12b	H 2.1			<b>Section 2.1 (Initial Assessment Procedures), second bullet, p. H-4 – Replace “constituents” with “substance.”</b>	The requested change has been made.
12c	H 4.2			<b>Section 4.2 (Encountered Groundwater), p. H-16 – As was done in Section 3, delete</b>	The word grab has been deleted.



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				"grab." Grab groundwater samples are adequate, but there is no need to specify only grab samples. Extend the comment to Box 6A on Flowchart H-2 and Box 4A on Flowchart H-2.	
12d	Flowchart H-1			<b>Flowchart H-1 (Unexpected Condition Flowchart – Main Flowchart) Box 2B and between Boxes 3 and 4</b> – The flowchart appears to be using "TPH Issue" instead of "Petroleum Issue" or "Petroleum Substances." Either make the terminology consistent with the text or footnote this alternate terminology.	The terminology has been changed to "Petroleum" or "Petroleum Substances" throughout.
12e	Flowchart H-1			<b>Flowchart H-1 (Unexpected Condition Flowchart – Main Flowchart) Box 5</b> – Confirm that comparison to ESLs is still intended; they are not cited in the Appendix H text. Extend this comment to Boxes 9 and 10 on Flowchart H-3.	As per other agency comments, we have removed all references to the ESLs in the text and Flowcharts. The document now references RGs or the EPA RSLs.